

Town of Cedaredge Planning & Zoning Commission
Public Hearing
April 27, 2021
Record of Proceedings

The Cedaredge Planning and Zoning Commission met for a Public Hearing on April 27, 2021, at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge, Colorado, with a virtual meeting option available. Chairman Anderson called to order the meeting at 6:03 p.m. and led the Pledge of Allegiance. Present were Commissioners Walt Anderson, Bob Michael, Richard Cartin, Doug Hoggatt and Gene Welch; Mayor Raymond F. Hanson; Town Administrator Greg Brinck; Town Planner Davis Farrar; and Town Clerk Kami Collins. Absent and excused were Commissioner Terry Jarbo and Trustee Jim Atkinson. Absent was Commissioner Larry Naslund.

Chairman Anderson read the vision and mission statement and read the rules for Public Hearings.

Public Hearing: Conditional Use Application #2021-02: Accessory Dwelling Unit at 180 W Main Street, Don Burch

- a. Staff Presentation – Town Planner Davis Farrar explained the request is to add an apartment to the commercial building. The property is zoned B1 and is surrounded on all sides by commercial zones. The building is 1,356 square feet; the apartment will be approximately 500 square feet. Mr. Farrar said the Municipal Code requires two onsite parking spots, but the Commission has the authority to waive that requirement if it chooses. Mr. Farrar noted there is space in the rear of the building for the two parking spaces. Mr. Farrar noted Mr. Burch plans to add two lighting structures; this is the only change to the exterior of the building. Mr. Farrar said the apartment would fit in nicely with the downtown area. Mr. Farrar recommended approval of the Conditional Use Application
- b. Applicant Presentation – Mr. Burch was out of town on a family emergency and unable to address the Commission.
- c. Planning Commission Questions to Applicant and/or Staff - Commissioners had no questions for Mr. Farrar.
- d. Public Comment – A letter was received from Sandy Wilt showing support for the project. A letter was received from Barb and DJ Hladik showing concern for parking spots and for the noise their business, The Pondy, could potentially cause a resident. Judy Fairchild, 24255 Cedar Mesa Road, said she supports Mr. Burch’s request and said Mr. Burch follows the mission of the Town. Perry Hotz, 680 SW Brook Lane, said though he doesn’t live in town he has properties that border Mr. Burch’s property. Living units on Main Street are an asset to the Town, Mr. Hotz said. He said the use is compatible with other uses downtown.
- e. Planning Commission Questions to Applicant and/or Staff - Commissioners had no additional questions or comments.
- f. Rebuttal from Staff - There was no rebuttal.
- g. Rebuttal from Applicant - There was no rebuttal.
- h. Planning Commission Deliberations - The Commission had no further deliberation.
- i. Application #2021-02 – Mayor Hanson moved and Commissioner Welch seconded to approve Application #2021-02 for an Accessory Dwelling Unit at 180 W Main. Roll Call Vote: Voting ‘aye’ were Commissioners Anderson, Michael, Cartin, Hoggatt and Welch; and Mayor Hanson; no Commissioner voted ‘nay.’ Motion passed unanimously and an Accessory Dwelling Unit at 180 W Main Street was approved.

Public Hearing: Conditional Use Application #2021-03: Accessory Dwelling Unit at 250 W Main Street, David Starr

- a. Staff Presentation - Mr. Farrar said the building is about 4,000 square feet and is surrounded by commercial and mixed-use residential zones. The use will require two parking spaces; Mr. Farrar noted there is no room on the property for additional parking. The applicant, David Starr, indicated to Mr. Farrar that people could park in the municipal parking lot. Mr. Farrar said in order to secure those two spaces long-term the applicant should work with the Town to have two spaces dedicated within the lot. Administrator Brinck explained that there is adequate space in the lot now, but in anticipation of future growth, the applicant should secure the parking spots, possibly with an official agreement with the Town. Mr. Brinck said the lack of parking is not a reason to deny the application. Mr. Farrar added that waiving the parking requirement is not a practice that should be ignored in every use downtown, but that in this case, an agreement is a reasonable solution. Mr. Farrar said the living unit adds to the vitality of the downtown area and the use is compatible with the other downtown uses. Commissioner Cartin asked for clarification on the parking situation, if it had been addressed yet or if the Commission should settle parking issue. Mr. Farrar explained it was his Staff recommendation that a written agreement be part of the approval of the application. Mr. Cartin noted that if the tenant chooses to park on Main Street that would eliminate already limited parking spaces on Main. Mr. Cartin asked that if Mr. Starr and the Town enter into an agreement for the parking spots in the municipal lot if parking signage should be required. Mr. Farrar said his opinion was that the agreement should say the spaces are made "as available" and that no signage should be added. Chairman Anderson noted that the entrance to the apartment is in the rear of the building, and the most convenient access is from the rear, which should eliminate the tenant parking on Main. Mayor Hanson suggested the issue be brought to the Board of Trustees to create a policy to address off street parking. Commissioner Hoggett asked how well lit the alley is, for the tenant access to the apartment; Mayor Hanson noted the alley is well lit. Mr. Farrar said he recommended approval of the application with the condition that Mr. Starr work with the Town to secure the parking spots.
- b. Applicant Presentation - Mr. Starr was in attendance and addressed the Commission. He explained that there is an apartment over his store already, and that tenant already parks in the municipal parking lot. He said he anticipates the tenant of the new apartment will have only one vehicle. Mr. Starr noted he will make sure there is plenty of light. Commissioner Hoggatt asked Mr. Starr if he thought the use would have an impact on law enforcement, specifically if law enforcement has to monitor parking spots. Mr. Starr noted he did not think it would be an issue. Chairman Anderson asked Mr. Starr if, as indicated in the letter from the Hladiks, that noise would potentially impact the tenant; Mr. Starr responded he would alert his potential tenants.
- c. Planning Commission Questions to Applicant and/or Staff - There were no additional questions or comments from Staff.
- d. Public Comment - Perry Hotz, 680 SW Brook Lane, said there is already an apartment in the building and questioned why there was the requirement for the Change of Use. Chairman Anderson asked Mr. Farrar to explain why Mr. Starr had to go through the Conditional Use process; Mr. Farrar said the first apartment was grandfathered and that additional apartment triggered the Conditional Use per the Cedaredge Municipal Code.
- e. Planning Commission Questions to Applicant and/or Staff - There were no additional questions.
- f. Rebuttal from Staff - There was no rebuttal.
- g. Rebuttal from Applicant - There was no rebuttal.

- h. Planning Commission Deliberations – The Commission had no further deliberation.
- i. Application #2021-03 – Mayor Hanson moved and Commissioner Hoggatt seconded to approve Application #2021-03 for an Accessory Dwelling Unit at 250 W Main, with parking accommodated for in the municipal parking lot. In discussion, Commissioner Cartin asked that the issue of parking be addressed by the Board of Trustees. Commissioner Michael suggested the Town work on additional parking as well. Roll Call Vote: Voting ‘aye’ were Commissioners Anderson, Michael, Cartin, Hoggatt and Welch; and Mayor Hanson; no Commissioner voted ‘nay.’ Motion passed unanimously and an Accessory Dwelling Unit at 250 W Main Street was approved.

Mayor Hanson moved to adjourn the meeting; Commissioner Welch seconded. Chairman Anderson adjourned the meeting at 6:55 pm.

Respectfully Submitted,



Kami Collins
Town Clerk