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A G E N D A

**Planning Commission
Regular Meeting**

**December 2, 2013
6:30 p.m.**

A. Changes to the Agenda

B. Minutes of the September 9, 2013 Planning Commission meeting.

C. 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.

D. Maverik-Delta Subdivision Preliminary Plat

E. Villas at the Bluff, Resubdivision of Lot 2B, Lot Split

F. Commissioner Comments

G. Staff Comments



A regular meeting of the City of Delta Planning Commission was held on Monday, September 9, 2013 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: Richard Simmons, Chairman; Terry Osborne, Vice-Chairman; Lynn Williams, Commissioner; Carl Jahn, Commissioner; Ginni Selby, Commissioner; Gerald Roberts, Commissioner; Glen Black, Director of Community Development; Sharleen Walker, Planning Technician.

ABSENT: Tish Oelke, Commissioner.

GUESTS: Todd Meyers, Maverick.

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES

A motion was made by Gerald Roberts, seconded by Ginni Selby to approve the minutes of the Planning Commission held on Monday, August 5, 2013 as written. All voted yes. Motion passed.

CITIZEN COMMENTS

None.

MAVERIK-DELTA SUBDIVISION SKETCH PLAN

Glen Black, Community Development Director, reviewed Maverik-Delta Subdivision Sketch Plan with the Planning Commission. Staff reviewed the staff report with the Planning Commission. The staff report reviewed the items that have been met for sketch plan approval and did not list any items that were outstanding. Mr. Black also reviewed the conditions that will need to be completed as part of the approval of the preliminary plat. Staff and Planning Commission reviewed the vicinity map, aerial map and plat of the property.

The Planning Commission had questions regarding some of the easements. Staff stated that those details will be worked out during the preliminary plat stage. Additionally, Planning Commission questioned the drainage detention area. Staff stated that drainage will be addressed at building permit for each of the individual lots and that the detention area shown on the sketch plan will be removed for the preliminary plat. There were questions about the maintenance of drainage ditch. Staff thought the railroad was responsible for the maintenance of the drainage ditch.

Additionally, the Planning Commission questioned if lot 6 was buildable and sellable. Staff stated that it appears that the lot will be developable. Staff also informed the Planning Commission that the City's interest in lot 6 is from a City storm-water study identifying the area as a catch basin for a storm-water detention area, but that the City has not budgeted for the purchase of the lot. Planning Commission also questioned staff regarding environmental concerns. Staff stated that they did not know of any environmental concerns.



Todd Meyers, Maverik representative, informed the Planning Commission that Maverik purchased the property for the convenience store that was completed earlier this year. Mr. Meyers stated that the property that was purchased is larger than what Maverik needed for the store and Maverik has about five acres that will be divided off and sold to various retail businesses. Mr. Meyers stated that Maverik's goal is to proceed with the subdivision process in order so the other companies can submit site plans and hopefully build next spring or summer. Additionally, Mr. Meyers stated that the existing easements have a big impact upon the develop potential of the property. Maverik is asking to relocate storm drainage lines; the lines need to be replaced so Maverik is asking to move the easements to make the property more developable and that the pipes will be resized by an engineer. Mr. Meyers stated that the types of businesses that Maverik works with are typically auto parts, pizza or other retailers.

The Planning Commission concurred that the sketch plan appears to meet the requirements of the Delta Municipal Code, that the subdivision has a good layout and that the additional details will be discussed at preliminary plat.

A motion was made by Carl Jahn, seconded by Gerald Roberts to approve the Maverik-Delta Subdivision Sketch Plan with the conditions of approval as listed on the staff report. All voted yes. Motion passed. (There were no conditions of approval on the staff report.)

COMMISSIONER COMMENTS

Commissioner Gerald Roberts stated that he will be absent for the October meeting.

STAFF COMMENTS

None.

ADJOURNMENT

A motion was made by Gerald Roberts, seconded by Carl to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 6:50 p.m. with no further action taken.

Sharleen R. Walker, Planning Technician



MAVERIK-DELTA SUBDIVISION

Preliminary Plat

Staff Report

Planner:	Glen L. Black	Date:	12/2/2013
Owner:	Maverik, Inc.	Representative:	Don Lilyquist
Location:	101 Highway 92	Parcel #:	3457-134-00-003
Zone District:	B-2	Property Size:	6.371 acres

Request

The applicant is requesting that Planning Commission recommend approval of the Maverik-Delta Subdivision Preliminary Plat, which proposes to subdivide approximately 6.371 acres into 3 parcels.

The property is currently zoned B-2 which “is intended for a large variety of uses to conveniently serve customers”, contains a convenience store, mobile home sales, and vacant lumber yard buildings.

Required Improvements, Dedications, and Minimum Design Standards

The following requirements for preliminary plan have been met:

1. Application, deed, fees and plat have been received
2. Conforms with the Comprehensive Plan and zoning regulations
3. Copies of the plat were mailed to Delta County, Century Link, Source Gas, Charter Communications, School District #50, Delta County Fire District #1, Delta Montrose Electric Association and Colorado Department of Highways.
4. The plat substantially meets all of the requirements of Delta Municipal Code 16.04.050(D).
5. Utilities are available – there are 3 paid/available water taps and 2 paid/available sewer taps
6. CDOT access has been approved.

The following are conditions of approval:

1. Corrections need to be made to the construction drawings and preliminary plat prior to a preconstruction meeting. The City requires 3 wet-stamped sets of approved engineered plans.
2. The development must comply with all City of Delta requirements and other regulatory/permitting agency requirements.
3. Preliminary Plat approval expires 2 years from the date of such approval.

The following will need to be completed prior to final plat submittal:

1. All improvements must be constructed, including electrical infrastructure, water, sewer, storm sewer.
2. Cross access/maintenance agreements must be signed.
3. Proposed detention basin should be removed from plat.
4. Clarification of traffic study / when is a traffic light warranted at the intersection of Crawford Avenue and Highway 92? Light installed or secured.



Staff Recommendations

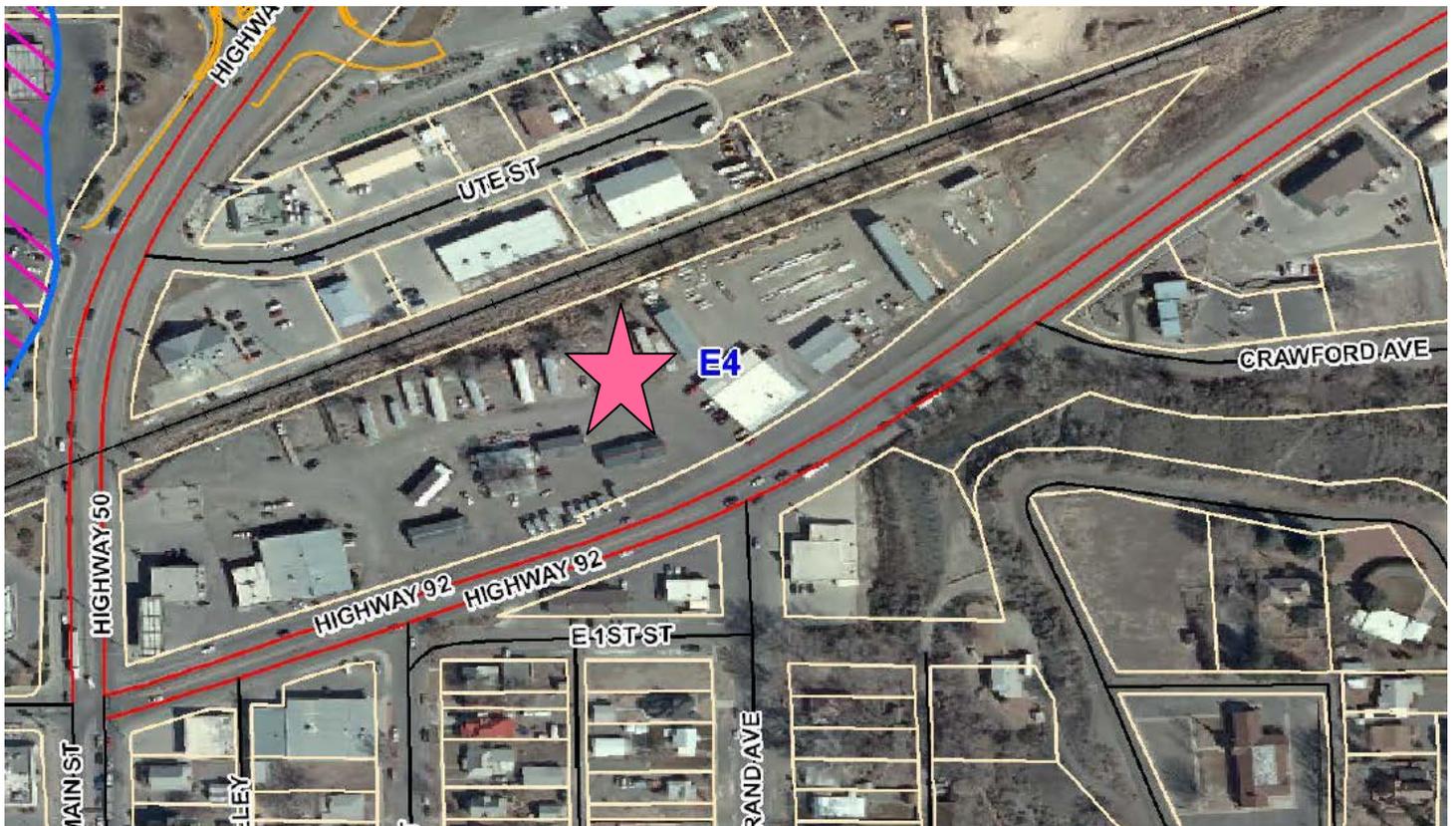
Staff review has found the plat to substantially comply with the preliminary plat requirements of 16.04.050(D)

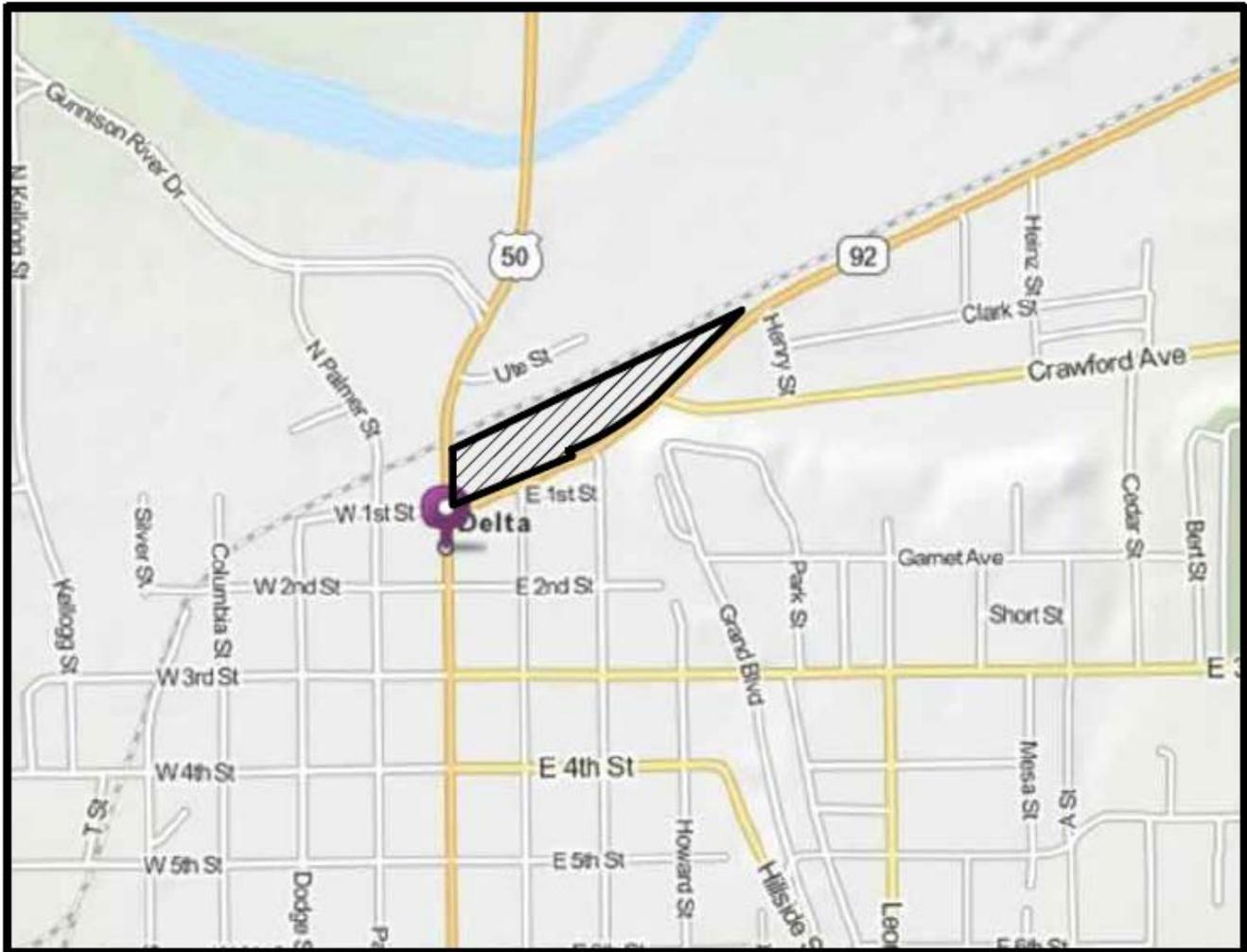
Staff recommends **approval** of the Maverik-Delta Subdivision preliminary plat with the condition that all redlines are corrected, resubmitted and accepted by the City.

Example Motion

I move that Planning Commission recommend **approval/disapproval** of the Maverik-Delta Subdivision preliminary plat with the staff conditions and recommendations.

Aerial Photo





VICINITY MAP

NO SCALE



VILLAS AT THE BLUFF, RESUBDIVISION OF LOT 2B

Lot Split

Staff Report

Planner:	Glen L. Black	Date:	12/2/2013
Owner:	Delta Housing Authority, LLC	Representative:	Jo Rosenquist
Location:	14 th and Villa Streets	Parcel #:	3455-193-34-003
Zone District:	R-3	Property Size:	5.820 acres

Request

The applicant is requesting that Planning Commission recommend approval of the Villas at the Bluff, Resubdivision of Lot 2B, Lot Split, which proposes to subdivide approximately 5.820 acres into 2 parcels.

The property is currently zoned R-3 which "is intended to provide an area which is suitable for single family homes, duplexes and multi-family residences with intermediate overall density", phase II contains multi-family apartment complexes.

Background

Lot splits are traditionally handled administratively; however this lot split request requires a deviation from the normal minimum design standards as set for in Delta Municipal Code 16.04.070.

Required Improvements, Dedications, and Minimum Design Standards

The following requirements for a lot split have been met:

1. Application, deed, fees and plat have been received
2. The subdivision results in no more than two tracts, lots or interests.
3. The lots are part of a subdivision plat that has been approved and/or accepted by the City or Delta County and recorded in the Delta County Records.
4. Conforms to the Comprehensive Plan and zoning regulations.
5. No part of the subdivision has been approved as part of a minor subdivision or lot split within three (3) years prior. This plat cannot be recorded until February 3, 2014, because the Villas at the Bluff Resubdivision of Lot 2B was recorded on February 3, 2011.
6. No material changes to existing easements, plat notes or restrictions which are for the benefit of third parties shall be made.
7. Conforms to the minimum design standards, except as noted below.

The following plat note shall be added to the plat:

1. The owners of Lots 2B1 and 2B2 within this subdivision shall be jointly and severally liable for the maintenance of the 20' wide underground pipeline easement.



The following requires a deviation from the minimum design standards:

1. 16.04.070.10 – All lots shall have direct access to a dedicated street, except that reciprocal access easements may be approved to accommodate subdivision with multiple commercial units with contiguous parking areas in commercial zoning districts. The property is not in a commercial zoning district; however the project is a multiple commercial apartment unit. Apartments are allowed in the R-3 zoning district.

Oak Way is not a dedicated public street; however it is noted on the plat that Oak Way shall be a public access and the maintenance of Oak Way is to be shared with owners of both lots.

Staff Recommendations

Staff review has found the plat to substantially comply with the lot split requirements of 16.04.100.

Staff recommends **approval** of the Villas at the Bluff Resubdivision of Lot 2B, Lot Split with the deviation listed above and the condition that the plat not be recorded until after February 3, 2014.

Example Motion

I move that Planning Commission **approve/disapprove** of the Villas at the Bluff Resubdivision of Lot 2B, Lot Split with the deviation from providing a dedicated public street access and the condition that the plat not be recorded until after February 3, 2014.

Aerial Photo



