

# Grand County Planning Commission Minutes Corrected

December 14, 2005

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Council Chambers of the Grand County Courthouse.

**Members Present:** Chair D.L. Taylor, Marcus LaFrance, Dave Cozzens, ~~Susie Harrington~~, Tom Shellenberger, and Charley Every.  
County liaison - Judy Carmichael.

**Others Present:** Richard Grice, Mary Hofhine and other concerned citizens.

**The meeting was called to order at 5:30 PM** by the Vice Chair, Marcus LaFrance. The Chairman had called ahead to ask the Vice Chair to open the meeting since Mr. Taylor would need to recuse himself from the interviews of potential members, as he had applied for one of the positions.

Dave Cozzens read a statement regarding the recent letter to the editor regarding comments made at a previous Commission meeting.

Marcus LaFrance explained that staff would provide ballots with the names of the applicants and high lighters for each Commission member to mark the 3 people they would like to recommend to the Council. Mary Hofhine and Joette Langianese would count the votes and give the tally.

After the Commission interviews the applicants the Planning Commission recommended unanimously D.L. Taylor, Robbie Levin had the second most votes and the following had one vote each, Jean Binyon, Mike Suarez, Ed Bridges, and Bob Maxwell.

D.L. Taylor took his position as the Chairman, and the evening meeting commenced at 6:05 PM.

**Approval of minutes:** Marcus LaFrance moved to approve the minutes as written, Charlie Every seconded and all voted in favor.

**Public Hearing – Red Cliffs Lodge PUD amendment** – staff read into the record as reference the Land Use Code as amended to date, the General Plan as amended to date and staffs memo to the Commission. Charley Every recused himself as he derives an income from Mr. Fryer.

This “amended” application is submitted by Colin Fryer (Applicant). The Applicant seeks approval of an amendment to the approved Red Cliffs Guest Lodge Final PUD Plan, as amended to date. The project is located on a 184-acre parcel (according to previous submittal materials) in Professor Valley, which is zoned RG, Range and Grazing, more specifically described as follows (according to the most recent submittal materials):

Parcels	Acres
Parcel A Redcliffs Ranch PUD	78.23
Parcel B Redcliffs Ranch PUD	21.15
Parcel C Redcliffs Ranch PUD	98.68
Government Lot 9, Section 26	14.50
T24S R22E SLM Red Cliffs Ranch	
TOTAL	212.56

Other materials provided include a completed Application Form, identifying the Property Owner identified as Colin Don Fryer, Current Zoning indicated as AG (sic) – the property is zoned RG, Range and Grazing, and application fee paid for PUD Amendment; copies of Grand County Real Property Tax Notices -- the application omits the required title report (Staff believe Colin or a corporation in his control to be the owner, but has not researched the public record to verify this opinion); Exhibit A -- Amended Master Site Plan Red Cliffs Adventure Lodge (Master Site Plan), dated November 23, 2005; and a letter to the Commission summarizing changes, as follows:

- I. Increase Allowable Signage to 250 square feet to enable advertising of the variety of uses and activities on

the ranch – applicant indicates there to be 224 square feet of existing signage and that the illegal sign along the river has been removed .

The Commission recommended denial of a smaller (80 square foot) sign at its regular meeting in February 2003. Now, the Applicant is requesting a 250 square foot sign. Existing nonconforming (lawful) signage is limited to two 24 square foot signs, plus the Agricultural sign over the Gate Entrance. Such sign square footage may be used to advertise whatever the applicant wants to advertise, so long as such signs are no more than 24 square feet each. Sign Permits have not been issued for the 224 square feet of existing signage. Further, PUD District procedures and district standards do not provide for amendment of sign standards via PUD – a code amendment applicable to all properties in the residential RG District would be a minimum approach.

- II. Addition of 600 square feet of office space to the existing lodge – applicant indicates that such space will not be visible from the State Highway or the River.
- III. Add 10 additional Lodging Units in the previously designated “Agricultural Area” – building design is to be the same as that of existing buildings and landscaping is to also be a continuation of landscaping design pattern.

The only way an expansion of the Lodge can be allowed in the RG District is according to the standards applicable to “Dude Ranch or Destination Resort.” Such uses are subject to density limitations established through an active public review procedure (code amendment) designed to ensure that the intensity of the land use relates to the amount of land. The Redcliff Lodge PUD is a nonconforming use and it does not have sufficient land area for the expansion proposed.

Mr. Fryer presented a plan that would better fit under the “Dude Ranch or Destination Resort”. In the discussion of the presentation the Commission decided that Mr. Fryer could ask for a change of use and change the Dude Ranch section of the code book to accommodate larger signage.

Tom Shellenberger moved to recommend denial of the proposed larger signs, finding there to be no such authority in PUD regulations or in the existing sign standards for the larger proposed signs and found the Redcliff Lodge use to be nonconforming and therefore ineligible for expansion, per the requirements of LUC, Sec. 1.10, Nonconformities.

Regarding the request to add 600 square feet of office space to the existing lodge building – the Commission found this request to be incidental and recommended approval to the Council also the request to relocate or move 10 planned units of employee housing closer to the lodge complex.

Dave Cozzens seconded and all voted in favor.

The Commission suggested to the applicant that he make a change of use for Red Cliff’s Lodge PUD to a Dude Ranch. The proposed uses that he is asking for will better fit under the Dude Ranch use regulations.

The Commission directed staff to draft a change to the Dude Ranch section of the Land Use Code to allow for larger signs.

**Clark Minor Subdivision:** Tom Shellenberger recused himself from the discussion as he sold the property to the applicant.

This application is submitted by Tim Keogh on behalf of the property owner, Butch Clark (Applicant). The Applicant is requesting approval of a 2-lot minor subdivision, pursuant to the *Grand County Land Use Code*, Sec. 6.9, Minor Subdivisions. The subject property includes about 39.7 acres and is located on both sides of Spanish Valley Drive just north of Resource Blvd. Each of the 2 proposed lots would be in compliance with the minimum lot area requirements of the underlying zoning district – Lot 1 contains 1.11 acres, and Lot 2 contains 38.69 acres.

According to the application, “all roads and utilities for current use are presently in place.”

With respect to water supply, Land Use Code, Sec. 5.6.2 requires the Applicant to provide “certification” from the utility provider as to service availability as part of the development application:

If all or part of a proposed development is within 1320 feet of an approved public water system, then the applicant must obtain a written certification from the public water service provider stating that it is able to provide an adequate supply of drinking water with adequate quantity, quality and sufficient pressure to meet the needs of the proposed development based on the projected water usage of the development.

Likewise, with respect to sewage disposal, Land Use Code, Sec. 5.6.2 requires that the Applicant provide “certification” from the utility provider as to service availability as part of the development application:

If all or part of a proposed development is within 1320 feet of an approved public sewer system, then the applicant must obtain a written certification from the public sewer service provider stating that it is able to provide sewer service to meet the needs of the proposed development.

No specific information regarding water and sewer services are included with the application. The Applicant needs to make arrangements for service by GWSSA and provide the required certification.

No comments are available from the Fire Chief at this time.

The Applicant's engineer, Bryan Hurley, visited the site and recommends that, an easement be provided across the lots to geographically coincide with the natural drainage channel. Further, Bryan recommended that a drainage study be provide concurrent with future development plans. Following up on Bryan's recommendation, the plat includes a plat note that reads:

No building permit(s) shall be issued for any structure(s) on either lot in this subdivision prior to the completion of a site-specific drainage study to quantify the potential change in the drainage run-off (pre vs. post development flows), and a detention basin, drainage swell, dry well or similar facility on site to detain such run-off.

Charlie Skewes, County Engineer noted that the Grand County Storm Drainage Master Plan identified flows in the channel of 20 cfs from a 10-year storm return period under existing development and 190 cfs from a 100 year storm under buildout conditions. The Storm Drainage Master Plan also calls for a storm water detention basin to be constructed in Lot 2, just west of Lot 1. Therefore, the County Engineer recommended that:

A culvert be placed as part of the driveway to Lot 1 that will carry the flow from a 10 year storm, and that an easement be provided in Lot 2 for the future construction of a detention pond.

Marcus LaFrance moved to recommend approval to the County Council subject to the following additions of plat notes on the subdivision plat:

1. Prior to any future development on Lot 1, a culvert shall be placed under the driveway to Lot 1 at the expense of the property owner, sufficient to carry the flow from a 10-year storm and satisfactory to the County Engineer.
2. Prior to any development on Lot 2, a drainage detention pond and related improvements shall be constructed on Lot 2 consistent with the Grand County Stormwater Management Plan at the expense of the property owner, and an easement shall be dedicated to the County encompassing said drainage pond and related improvements satisfactory to the County Engineer.
3. Waiver of the requirement for dedication of utility easements along all lot lines in accordance with the requirements of LUC, Sec. 5.6.3.
4. No building permit(s) shall be issued for any structure(s) on either lot in this subdivision prior to the completion of a site-specific drainage study to quantify the potential change in the drainage run-off (pre vs. post development flows), and a detention basin, drainage swell, dry well or similar facility on site to detain such run-off.

Dave Cozzens seconded and all voted in favor.

**Site Plan Review - Branding Iron, Jeff Butterfield applicant:** This application is submitted by Jeff Butterfield, owner of Branding Iron (Applicant). The subject property consists of approximately 1.08 acres and is zoned HC, Highway Commercial. The principal structure, a restaurant building, was destroyed by fire and the Applicant seeks to rebuild on the existing foundation. All surrounding properties are zoned HC, Highway Commercial. The property to the North has a single family residence, so the proposed development is subject to the Compatibility Standards.

The Commission discussed with the applicant the site plan requirements including having one access drive from Spanish Trail Road.

Tom Shellenberger moved to approve the Branding Iron site plan with the added minimum 15 foot wide landscaping strip, with trees and ground cover, is needed along Highway 191 and Spanish Valley Drive. The plan should specify plant list for trees; and

No building permit or certificate of occupancy shall be issued or approved until the Applicant complies with the above requirements pursuant to Sec. 4.3, 4.4, and 4.5 of the Land Use Code.

Marcus LaFrance seconded and all voted in favor.

**Site Plan review of Coffee Hut, Standard Plumbing and High Desert Landscaping –** Staff suggested due to time restraints and a large number of site plans that the Planning Commission allow site plan review by staff.

Marcus LaFrance moved to allow staff to review and approve site plans per the Land Use Code standards, with appeal to the Planning Commission if applicants are aggrieved by staffs decisions. Dave Cozzens seconded and all voted in favor.

**Continued PUD Code Amendment review:** The Commission discussed the staff's drafted changes; the Commission has been working on these changes since September. Staff provided a plat that utilized the proposed PUD standards. The Commission feels with minor changes the drafted PUD amendment has accomplished the Commissions requests for changes to accommodate the needs of the public.

Tom Shellenberger moved to recommend the drafted PUD changes to the County Council for approval, Charley Every seconded and all voted in favor.

**Adjournment:** D.L. Taylor adjourned the meeting at 9:00 p.m.