

Empire Planning Commission Regular Meeting Agenda

October 25, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform. Meeting ID: 884 2424 4377 Passcode: 551163

<https://us02web.zoom.us/j/88424244377?pwd=TG00NW11cmtqVzgya2svSFkwR2hxdz09>

If you would like to address The Planning Commission at this meeting, please place your name on the sign-up sheet or indicate that through the chat function on the online Meeting Platform. You will be recognized to speak during the "Public Comment" portion of the agenda. Discussion is limited to 5 minutes and please state your name and address your comments to the Planning Commission. Thank you for your cooperation. Also, please silence your phones and do not use them during the meeting out of consideration for your Planning Commission Members and Staff who are presenting information during the meeting.

1. Call to Order

2. Roll Call – The Empire Planning Commission requires a simple majority of four members present at the meeting for a quorum.

3. Approval of Agenda

4. Approval of the Minutes - September 27, 2023, Planning Commission Minutes & Attachments.

5. Mayor and Commission Members Reports -

- a. MJHA - video
- b. Prop 123 - update
- c. Town Park Survey - final report
- d. Staff Report on Ordinance Updates to 170

6. Harmony Domes -

- a. Open House from noon to 2 pm on Saturday, October 21, 2023
- b. Fire Authority Letter
- c. Engineer drainage and water reports

7. Site Plan Application 187 East Sunny Avenue -

- Review newly submitted plans.

8. 148 West Park Avenue/Victorian Village -

- Administrative Approval - space 13 mobile home replacement

9. Planning Commission Members Continuing Education -

- Discuss holding a November 15th training workshop

10. Public Comment: Public comment is limited to 5 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk.

11. Moment of Appreciation

12. The Next Regular Meeting of the Empire Planning Commission is December 6, at 6:30 pm. In-person with remote access.

13. Adjourn Meeting



(Planning Commission Chair Sally Rush)



(Town Clerk Jeannette Piel)

Town of Empire
30 East Park Avenue/P.O. Box 100 Empire, Co 80438
303.569.2978 - 303.569.2282 fax

Empire Planning Commission Regular Meeting Minutes
October 25, 2023 ~ 6:30 pm

In Person and Remote Meeting using the Zoom platform.

1. Call to Order -

Chairperson Sally Rush called the meeting to order at 6:31 PM. The meeting was held in person and remotely through Zoom.

2. Roll Call – The Empire Planning Commission requires a simple majority of three members present at the meeting for a quorum.

Present: Chairperson Sally Rush, Mayor Wendy Koch, Eileen Wheelock, and Lon Fulton. Also in attendance were Officer Andre’ Johnson and Clerk Jeannette Piel.

Absent: Denise Tennant

A quorum was present.

3. Approval of Agenda

MAYOR KOCH MOTIONED TO APPROVE THE AGENDA FOR OCTOBER 25, 2023, WHEELOCK SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

Agenda was approved.

4. Approval of the Minutes - September 27, 2023, Planning Commission Minutes & Attachments.

The following amendment was suggested to the September 27th minutes:

- Page 2: Change “behind” to “being” in the second paragraph.

FULTON MOTIONED TO APPROVE THE AMENDED MEETING MINUTES FOR SEPTEMBER 27, 2023, MAYOR KOCH SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The amended September 27, 2023 PC Meeting Minutes, including Attachments, were approved.

5. Mayor and Commission Members Reports -

a. MJHA - video

Chairperson Rush explained that Amy Saxton and Willa Willaford have been working on a grant for marketing Clear Creek County, for consulting for the County with ordinances and codes, and to form a Multi-Jurisdictional Housing Authority. The four municipalities in the County would join the MJHA, and they will hire an Executive Director. The County presented a slideshow explaining it in detail to the Empire Board of Trustees this month.

b. Prop 123 - update

Chairperson Rush explained Prop 123 is a state program where municipalities join under an umbrella. Each registers with the State to “join the club” by November 1st. Any municipality who misses this deadline must wait another year. The benefit is Federal funding through the State, and only if the municipality or county is in the club can they have access to the Prop 123 funds. Currently funds are for structure and capacity building. Fast tracking for affordable housing means 90-day approvals for permits to help struggling Counties, and to help developers with applications. Denver has been moving ahead.

Further discussion included how “affordable housing” is currently defined as 80% of the area median income for rentals and 100% for purchases. Grants and loans to the State help make affordable housing more attractive to developers by offering subsidies.

c. Town Park Survey - final report

Lisa Kunze, Administrative support staff, provided a brief overview of the final results of our August Town Park Survey. The results will be posted on the town website and used to apply for funding to create a Parks and Recreation Master Plan.

d. Staff Report on Ordinance Updates to 170

Clerk Piel updated the Planning Commission on several ordinance language changes the Board of Trustees is considering that affect the work of the commission, some of which are including the Planning Commission in the language about Action Minutes taken at meetings, term lengths and limits, reassigning Zoning Officer duties to other staff and engineer stamps.

6. Harmony Domes -

a. Open House from noon to 2 pm on Saturday, October 21, 2023

Chairperson Rush attended along with around 30 citizens. A discussion ensued concerning the following:

- The rocky terrain will create a need for a plan for staging and removing, which is presently not in Ordinance 170 and has been noted for revision.
- The developer is working with his architect and civil engineers to address the fire authority’s concern about emergency access roads.
- Noted to address general dumping on property other than town property by a developer in future ordinance revisions.
- Grading plans must have a plan for overburden of rocks and will be flushed out in the design process.

b. Fire Authority Letter

Chairperson Rush read the letter into the record (attached.)

The developer explained the changes the fire authority recommended on the emergency access roads, again reiterating the civil engineers and architects are now looking at options to address their concerns.

c. Engineer drainage and water reports

Mayor Koch has requested a meeting with the developer tomorrow and other parties to suggest some items, like overburden and retaining walls, before he has his engineers working on drainage.

7. Site Plan Application 187 East Sunny Avenue -

- Review newly submitted plans.

The planning commission reviewed the plans against the checklist. Chairperson Rush will create a letter advising him of the remaining items to be addressed and the Clerk will send it out.

8. 148 West Park Avenue/Victorian Village -

- Administrative Approval - space 13 mobile home replacement

Mobile Home Parks have their own zoning classification and regulations. We do not allow additional mobile homes in any of our current parks; however, we do allow replacements. Ordinance 170, Article 7, Section 8 lists the regulations for our Mobile Home District. When a park owner applies to bring in a replacement mobile home, we verify that the following items are acceptable: square footage of the lot, all set-backs and off-sets, all distances between existing mobile homes or other park structures, and proper clearance for front and back doors. We also verify that the mobile home meets current HUD standards, and we inspect the lot before the home is installed, and the water and sewer hook ups.

A sketch for the location of a replacement home in the Victorian Village was shared, and because a permit is not required, staff is authorized to do an Administrative Approval and inspections, with both staff and planning commission signing the plans.

9. Planning Commission Members Continuing Education -

- Discuss holding a November 15th training workshop

The Planning Commission chose to hold a training workshop on November 15th. Lisa Kunze explained the planning commission will be diving into the Preliminary Plat and Plan phase beyond the glossy overview in the group exercise during the last training. Also to be discussed are the fine details of the top 4 training topics the commission requested: Municipal Code, Town Programs and Projects, and Parliamentary Procedure and Ethics tied for third. Finally, a 2024 training schedule will be presented.

Chairperson Rush thanked the Planning Commission and the staff for their work over the past few months, and said she wants to give all of them the recognition they deserve.

10. Public Comment: Public comment is limited to 5 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk. No public comment.

11. Moment of Appreciation - What do you appreciate about Empire? What's the first thing that comes to your mind, what's the first thing you show people when they visit, what do you miss the most when you are away? Short and sweet answers – please keep it positive!

- Small town, know your neighbors and how BEAUTIFUL it is!
- Sunsets have been amazing this Fall! Miss everything about being in Empire, where you feel safe and comfortable.
- Mud season when you can freely travel about!
- Peace and quiet, you know your neighbors who make an effort to help when you need it. Sit on deck and look at nothing but valleys.
- The view changes so easily if you walk a block in any direction.
- After living in the Midwest, never thought you'd have the experiences; constantly distracted by everything around. He hopes his children grow up appreciating where they live.
- Minton Park!
- The People.
- Being a part of the planning commission has been rewarding in spite of the contention.
- Community watches out; children may not appreciate it until they are grown.
- Clean water; clean air; the quiet.
- Walk up Bard Creek road.
- Taking the grandchildren to Minton park and had so much FUN on the tire swing!
- Prancing deer between the houses on Sunny Avenue was a sight out the window!
- Empire's FALL FESTIVAL.

12. The Next Regular Meeting of the Empire Planning Commission is December 6, at 6:30 pm. In-person with remote access.

13. Adjourn Meeting

WHELOCK MOTIONED TO ADJOURN THE MEETING, MAYOR KOCH SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 8:18 PM.



(Planning Commission Chair Sally Rush)



(Town Clerk Jeannette Piel)

Clear Creek Fire Authority

Post Office Box 507
Dumont, Colorado 80436

October 5, 2023

Ms. Sally Rush, Chair

Empire Planning Commission

RE: Site Development Plan

Harmony Domes

433 Park Ave

Empire, CO 80452

Ms. Rush,

CCFA has completed a review of the Civil Construction Drawings submitted for Harmony Domes at 433 Park Avenue with the following items for approval.

1. Installation of a Fire Hydrant in the location as shown on the attached page 4. in red with yellow highlights.
2. The hammerhead turn-around must have increased depth to be usable. A discussion between the engineer and CCFA must be done to see what is feasible.
3. A dry standpipe system for fire suppression water to the 4 upper units shall be installed, or the units should have a fire suppression system installed.
4. Emergency service provision to the 4 upper units will be slow, difficult, and potentially dangerous to guests and responders. Deploying equipment up and down the lengthy stairway will not be a safe, timely maneuver. Laddering the second-floor windows for rescue will not be possible. If an 8' wide emergency access road behind the units cannot be attained, we will not be able to provide medical or fire response service to the 4 units.

The six lower units can be serviced in the event of an emergency. The 4 upper units present numerous challenges that should be addressed for potential revision for approval.

CCFA is available to meet to discuss our comments and concerns.

Respectfully,



Kelly Babeon

Fire Chief

Date of Approval: _____

Version# _____

Town of Empire

Ordinance 170 Site Checklist

Ordinance 170 Site Checklist for New construction and/or additions to existing Construction within the Town of Empire. Projects expanding the square footage of a structure require Planning Commission review. Projects **not** expanding the square footage only require the signature of the Zoning Officer and Planning Commission Chair.

This project does does not expand the square footage of the structure.

The following applies to proposed structure additions or new construction for projects which expand the footprint.

An applicant desires to perform new construction or an addition to the existing structure at _____, Empire Colorado which is located in a [R1], [R2], [R3], [RC], [MH] District in the Town of Empire.

The following conditions are required by the Ordinance 170, Town of Empire, for new construction or additions to Existing construction:

1. Does the new construction or addition submitted fall entirely on the parcel of property owned by the applicant?
Yes [] No []

2. Does the new construction or addition fall within the Town of Empire?
Yes [] No []

3. Is there a minimum parcel area of 4800 SF or greater as required by Article VII, Standard Table in Section 3, and Section 4.3.1?
Yes [] No []

4. Will there be a minimum dwelling area/space of 700 SF as required by Article VII, Standard Table in Section 3, and Section 4.3.2?
Yes [] No []

Date of Approval: _____

Version# _____

5. Will the building structure have a minimum set back of 10 ft from any street adjacent to the parcel as required by Article VII, Section 2.5 and the Standard Table in Section 3, and Section 4.4.1?

Yes [] No []

6. Will the building structure have a minimum offset of 5 ft from any adjacent property owner's lot lines as required by Article VII, Section 2.5 and the Standard Table in Section 3, and Section 4.4.2?

Yes [] No []

7. Will there be a required minimum open space of 1500 SF per dwelling unit as required by Article VII, Section 2.6, and the Standard Table in Section 3, and Section 4.5?

Yes [] No []

8. There is a structure height restriction of maximum 36 ft as required by Article VII, Section 2.7 and the Standard Table in Section 3. Will the height restriction be met?

Yes [] No []

9. Will there be a maximum of 2 stories as required by Article VII, Standard Table in Section 3?

Yes [] No []

10. There is a minimum off street parking area of 2 spaces per dwelling, each space 440 SF, as required by Article VII, Section 4.6. Will the parking requirement be met?

Yes [] No []

11. Ordinate 170 Article VI, 2.1.1(a) allows for non-conforming structures on a property to be expanded without requiring a variance provided, the expansion does not further encroach on required setbacks, offsets, and does not violate density and open space requirements. Does the new addition meet these restrictions?

Yes [] No []

12. Are all invoices paid and not more than 30 days past due?

Yes [] No []

Date of Approval: _____

Version# _____

If the answer to any of questions 1 thru 11 is "[NO]", then the applicant has failed to conform to the requirements of ordinance 170 and a letter advising the of the failing Items should be sent to the applicant.

(Zoning Officer)

(Planning Commission chair)

(Date Signed)

(Date Signed)

Version # _____

Date of Approval _____

Version #1 date approved _____

Version #2 date approved _____

Version #3 date approved _____

Version #4 date approved _____

Version #5 date approved _____

