



**AGENDA  
TOWN OF SUPERIOR  
PLANNING COMMISSION MEETING  
MARCH 1, 2011  
7:00 p.m.  
BOARD ROOM**

- 1) Call to Order
- 2) Roll Call
- 3) Public Comment on Consent Agenda and Non-Agenda Items (5 minutes per person)
- 4) Consent Agenda
  - a) Approval of the February 1, 2011 minutes
- 5) Discussion and recommendation regarding the Rock Creek Parkway Underpass Façade Treatment
- 6) Staff Announcements/ Miscellaneous
- 7) Adjournment

**TOWN OF SUPERIOR  
PLANNING COMMISSION**

**MINUTES OF FEBRUARY 1, 2011**

The Planning Commission for the Town of Superior met in a regular meeting on February 1, 2011 at the Town Hall, 124 E. Coal Creek Drive, Superior, Colorado.

**CALL MEETING TO ORDER**

Chairperson John Cracraft called the meeting to order at 7:00 p.m. and asked for the reading of the roll.

**CALLING OF THE ROLL**

Present: Chairperson John Cracraft; Vice-Chairperson Kraig Prestesater, Commissioners JoAnne Eaton, Ian Elverson, Clint Folsom, Bob McCool, Rochelle Rittmaster, Tom Ricker; Staff Matt Magley; Town Attorney Christine Stretesky. Absent: Commissioner Phyllis Hardin.

**PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS**

None

**CONSENT AGENDA**

Commissioner Prestesater moved to approve the minutes of September 21, 2010 meeting. Seconded by Commissioner Ricker. Ayes – 6 (Ricker, Prestesater, Cracraft, Folsom, McCool, Elverson). Abstain – 1 (Eaton, Rittmaster). Absent – 1 (Hardin). Motion carried.

**DISCUSSION REGARDING CHAPTER 16 OF THE SUPERIOR MUNICIPAL CODE –  
MOBILE HOMES**

Staff presentation by Matt Magley:

- There has been a request to revise the Land Use Code (LUC) related to standards for mobile homes on individual lots.
- Mobiles homes are currently allowed under the LUC in a Residential Mobile Home District (R-MH).
- There are currently no properties within the Town zoned as R-MH.
- Currently, there are approximately 21 mobile homes located in Original Town in a Residential Low (R-L) or Residential Medium (R-M) density district.

- These mobile homes were in place prior to the adoption of the current LUC and as a result are classified as a legal non-conforming use since they don't meet the standard for mobile homes found under 16.29.10 in the LUC.
- The standards for mobile homes on individual lots requires:
  1. Mobile homes must be 24 feet wide and 36 feet long.
  2. They must be placed on a permanent engineered foundation.
  3. Exterior siding must be of brick, wood or other equivalent siding and a pitched roof.
  4. Must be certified by the National Manufactured Housing, Construction and Safety standards act of 1974.
  5. Must meet special provisions adopted by the Town regarding snow load, wind shear and energy conservation.
- These 21 homes fall under the legal non-conforming use in Article III of the LUC.
- The homes can be repaired and/or improved as long as those improvements do not exceed 50% of the appraised value. Once they exceed 50% they must be brought up to the current codes under 16.29.10.
- The request is to allow current property owners with existing mobile homes in Original Town to replace the home with a newer mobile home without meeting the standards found under 16.29.10.
- One exception that staff talked about would be that the fourth condition must be met due to federal regulations.
- The request is only for property in Original Town with existing mobile homes. The proposed changes would not apply to vacant lots in Original Town.

Ms. Stretesky made a comment to clarify that the Federal law pre-empts any state or local laws regarding mobile homes. So the Town can designate some things like roof pitch, snow load, etc., but they cannot regulate any of the requirements found in the Federal law.

George Kupfner of 104 S. 4<sup>th</sup> St. spoke:

He stated that he is the resident who has made this request. He always thought that the property was zoned as a mobile home park and that he could move the mobile homes in and out of the property. He has recently found out that this is not true. He is worried that if the Town were to go Home Rule that the zoning could be changed and the Town could make them move all of the mobile homes out. He would like to have the zoning to protect his property.

The zoning of low and medium residential district has been the same for the past 11 years and the LUC was adopted in 1993. Staff is not sure if this is when it was adopted or if the zoning was changed. Chairperson Cracraft asked if staff could research when zoning may have changed and if there ever was a mobile home district.

Rittmaster asked where the languages in the LUC came from, there was a short discussion about the language.

The mobile homes are spread out, not clustered, with the majority of them west of 4<sup>th</sup> Street. The mobile homes are currently on a pad, tied down and skirted. They are not on foundations.

The rezoning issue was not brought up by Mr. Kupfner until later. He originally just wanted a revision to the LUC, so that the mobile homes could be updated without conforming to the current standards or be required to a re-zoning.

The question was brought up about grandfathering of these properties and maybe allowing the change for current owners, but that any new owners would have to conform to the LUC. The land is currently for sale as an R-M zoning and any rezoning could cause future land use problems.

It was also brought up that changes to the LUC should take into consideration those residents that have bought and improved their properties according to the current LUC regulations and if they would be impacted by the change. It was stated that some residents have bought homes thinking that the current mobile homes would not be there forever due to the current standards in place.

Commissioner McCool mentioned that rezoning would require a significant amount of time and work on the Town's part as well as the resident. He is not against ruling out an R-MH District.

Mr. Kupfner said he basically wants to be able to improve his property and be able to move mobile homes in and out without having to conform. He doesn't really want to rezone the property, he just wants protection for his property. He would just like to see a change to the existing Code.

Discussion about what kind of changes would there need to be. Would it be required to have the same size of mobile home as current? Would it be required that the mobile home be brand new or a newer used one? Some municipalities are requiring that the mobile homes be new. Chances are that Section 16.29.10 (1-3) would be eliminated. Section 16.29.10 (4-5) would be kept because the mobile home would have to meet the Federal requirements set by the National Manufactured Homes, Construction and Safety Standards and the need for local standards for wind and snow.

It was asked if there were more than one mobile home on each lot. There are because it is zoned medium residential density which allows for up to 6 units per lot. Low density residential allows for only one single family home per lot. The current mobile home size on these lots are single wide, 12 feet wide, homes.

It was asked if these changes could be restricted to just Mr. Kupfner's properties or would it be to all properties. Other property owners will not have the ability to move a mobile home onto a vacant lot without meeting the standards under 16.29.10. The current mobile homes existed prior to the LUC being adopted and as a result are legal non-conforming uses. It was also asked if this could just be visited on a case by case basis instead of changing the LUC.

Staff stated they will go back and revisit the language and revise the non-conforming language in the LUC. Also, staff will research to see if they can determine when or if the properties were zoned as an R-MH and if so when it was changed. The next step will be a public hearing with a formal recommendation to the Town Board.

#### **STAFF ANNOUNCEMENTS/MISCELLANEOUS**

Matt Magley announced:

- At the next meeting, February 15, there will be a presentation regarding the Jefferson parkway. The meeting is open to the public and there will be a question and answer session.

#### **ADJOURNMENT**

Chairperson Cracraft adjourned the meeting.

DRAFT



## ITEM NO. 5

### INFORMATION FOR MEETING OF THE SUPERIOR PLANNING COMMISSION

**AGENDA ITEM: Rock Creek Parkway Pedestrian Underpass Phase II**

**MEETING DATE: March 1, 2011**

**PRESENTED BY: Kurt Kowar, Director of Public Works & Utilities**

**PRESENTED FOR: Action**

**BACKGROUND:** The Rock Creek Parkway Trail Underpass, located just east of McCaslin Boulevard under Rock Creek Parkway, had historically exhibited chronic water leakage at deteriorated concrete box culvert joints. The underpass, constructed of 26 three-sided concrete box culvert structures, was repaired in 2010 as part of the approved Capital Improvements Program. The approved 2010 budget (Pg. 185) for this project was \$80,000.

The underpass is structurally sound however, it had leaking joints that were sealed by chemical grout injection to mitigate the following ongoing problems:

1. Minor erosion of soil from beneath Rock Creek Parkway.
2. Slippery winter conditions on the concrete trail from residual joint leakage water.
3. Water damage to future architectural treatments.

This project was proposed in April of 2010 as a two-phase solution. Phase I focused on sealing the box culvert joints with a chemical grout that filled void areas and reacted with water to seal the joints.

Phase I of this project was publicly bid via the Rocky Mountain E-Purchasing System. 524 companies were notified of this project via this service. Two bidders submitted bids for this project. The bid tab was as follows:

Company	Total Bid Price
Restruction Corporation	\$81,597.00

Bear Excavating

\$44,947.60

Bear Excavating was approved for the Phase I work with the lowest bid at \$44,947.60.

Bear Excavating in coordination with Dmitry Tepo, LLC, and Town Staff completed Phase I of the 2010 budgeted Rock Creek Underpass project in the fall of 2010 at a completed cost of \$32,500. Phase I of the project has been closed out but, the underpass is still being monitored for any additional areas of joint leakage.

Currently, the existing stucco like treatment is deteriorated and in disrepair. The existing condition of the aesthetic treatment presents no health or safety hazard but does detract from the aesthetic appearance of the underpass. Phase II, currently under consideration, will focus on rehabilitation of the current architectural treatment in a manner yet to be determined. This phase is anticipated, with appropriate approvals, to be completed in the summer of 2011.

In February of 2010, a preliminary cost of approximately \$55,000 was estimated for treatment of the underpass with Stone Veneer on the sides and neutral color paint on the top. This estimate was submitted as part of the 2011 budget process. Through that budget process the initial request was reduced to \$35,000.

The approved 2011 Capital Improvements Program (Pg. 179) currently includes \$35,000 for completion of Phase 2.

Cost estimates have been revised for 2011 and four alternatives have been developed for discussion. In addition to updated unit costs, an additional cost in the amount of \$15,000 for sand blasting is included in the current estimated costs. This work, originally scheduled to be complete as part of Phase I (outside of the Bear Excavating contract), was cancelled and directed to be included in Phase II by the previous Town Manager. The four alternatives for discussion are as follows:

Treatment	Total Bid Price
Repaint Underpass (Color TBD)	\$63,000
Waterproof Coating on Underpass	\$75,000
Stone Veneer on Sides of Underpass	\$85,000
Public Art	TBD

Every alternative under consideration would include removal of the existing deteriorating underpass coating via sand blasting and replacement of rusting electrical conduit and lighting with new conduit and energy efficient LED lighting.

The first alternative considered would provide for repainting of the entire underpass interior with a neutral color similar in nature to the existing color.

The second alternative considered would provide for a neutral colored epoxy waterproof coating to give additional protection from future joint leakage.

The third alternative considered would provide for installation of a matching stone veneer along the sides of the underpass and repainting of the top of the underpass with a neutral color.

A final alternative considered would incorporate a public art element. Currently, no concepts have been discussed. Town Staff would anticipate issuing a Request for Proposal (RFP) from local and/or national artists for consideration of a public art component in the final treatment. The cost of this alternative is unknown and would be challenging to estimate without completing the RFP process.

In order to complete Phase II of the Rock Creek Parkway Underpass project from a budgetary stand point, one of two choices must be considered. The first alternative would be to select and approve a preferred alternative and associated budget. The second alternative would be to delay this project until 2012.

**PROS:**

- Improvements complete the project
- Improves the aesthetics of the underpass
- Improves safety

**CONS:**

- Project costs exceed the budget

**BUDGET IMPLICATIONS:**

- 2011 Budgeted - \$35,000
- Project estimated costs - \$63,000 - \$85,000

**BOARD FOLLOW-UP ITEMS:** N/A

**FEEDBACK FROM AFFECTED RESIDENTS:** None

**MOTION:** Move to approve to a recommendation to proceed with improvements to the underpass.

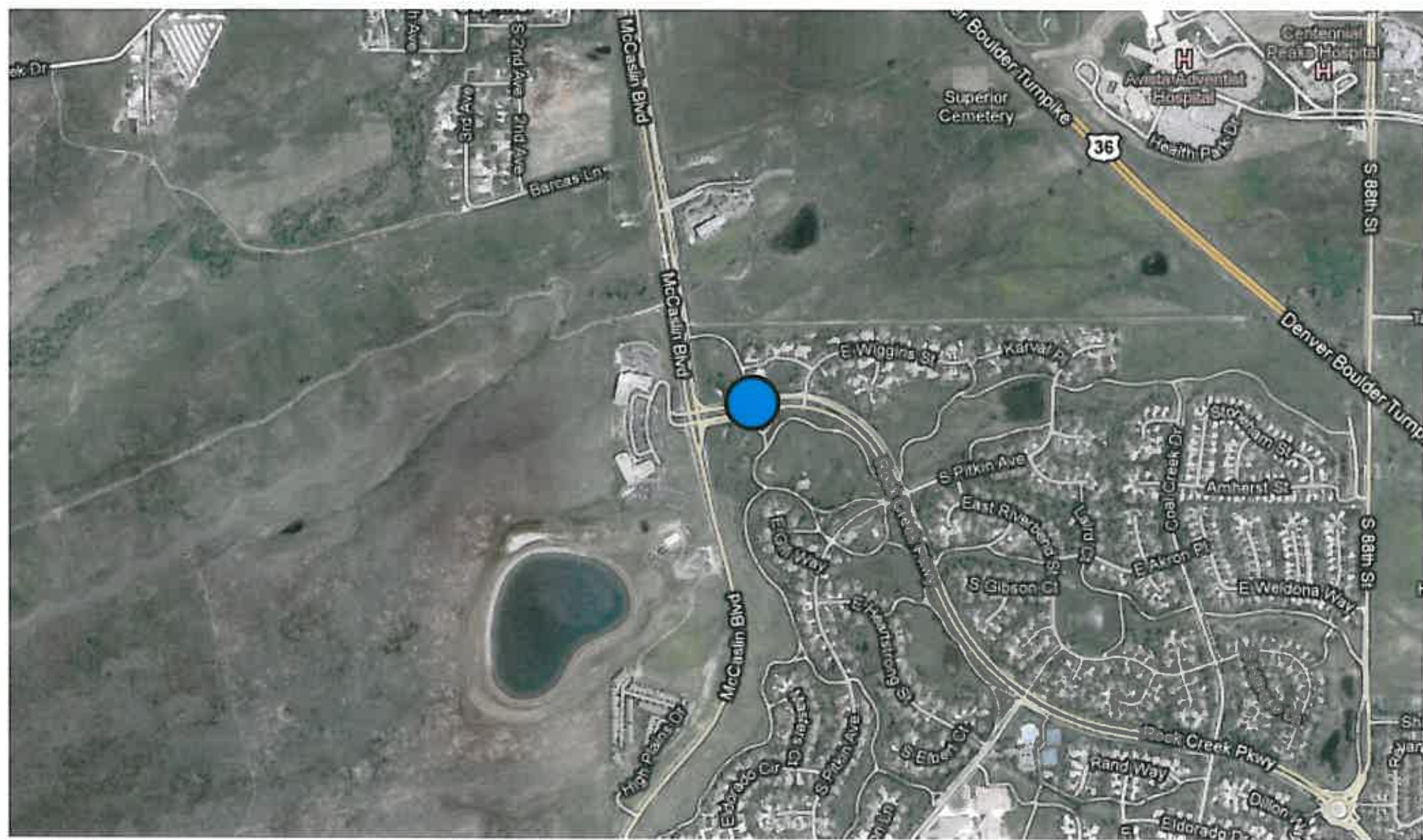
**ATTACHMENTS:**

- Presentation



Rock Creek Parkway  
Underpass Phase II

2011 CIP



Location

2011 CIP



Before

Winter 2009

# Background

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- Historical CIP That was never completed.
- 2010 CIP - Phase 1
- 2010 Budget  
\$80,000
- 2010 Bear Excavating  
\$45,000
- 2010 Actual Cost  
\$33,000



# Project Effect

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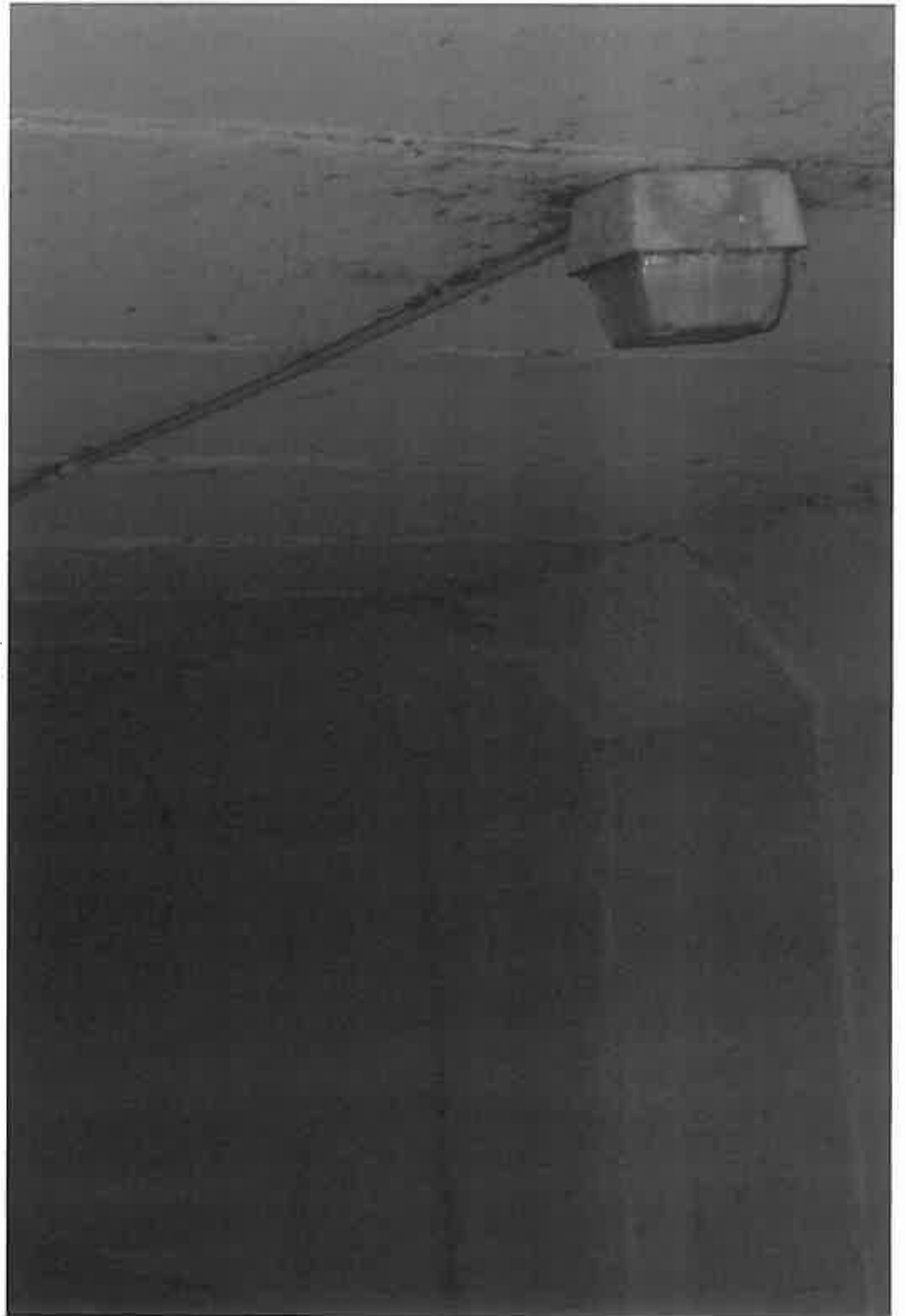
- Project **increases** the value of a community.
- Project is **net neutral** to the value of a community.
- Project **decreases** the value of a community.
- Is the **incremental savings** or **incremental expense** worth the **increase, status quo, or decrease** in the **value** of your community.



## 2011 CIP - Phase 2

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- Sand Blast Old Coating
- Install new Conduit and Lighting
- Install New Aesthetic Treatment
- Target Completion June - Sept



# Treatment Options

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- 2011 Budget  
\$35,000
- Public Art  
\$ TBD
- Paint  
\$63,000
- Waterproof Epoxy  
\$75,000
- Stone Veneer  
\$85,000





Paint (\$63,000) or Epoxy Coating (\$75,000) Option



Stone Veneer (\$85,000) Option



Public Art Option

