

Pagosa Springs Planning Commission

Meeting Minutes – February 10, 2009

I. Call to Order / Roll Call

The Planning Commission meeting was called to order by Chairman Tracy Bunning. Commissioners Hart, Woodruff and Lattin were present.

II. Announcements

III. Consent Agenda

A. Approval of the January 27, 2009 meeting minutes – Cmmr. Hart motioned to approve the January 27, 2009 meeting minutes. Cmmr. Lattin seconded the motion. The motion was unanimously approved. Cmmr. Woodruff abstained from the vote.

B. Pradera Pointe Phase I Final Plat Extension Request – Staff introduced the request by the applicant, Gazunga LLC, represented by Bill Herebic, for a one (1) year extension of the Pradera Pointe Subdivision Phase I final plat approval. Staff stated the planning commission recommended approval of the phase I final plat at the April 22, 2008 meeting and the Town Council approved the final plat at the May 6, 2008 meeting. Staff explained the Pradera Pointe Subdivision was located on approximately 163 acres and consists of 119 single-family residential lots. Staff noted the final plat for Phase I of this project included twenty (20) lots. Staff recommended approval of the one (1) year extension which, if granted, would expire on May 6, 2010. Chairman Bunning questioned whether the request was economy related. Project representative, Bill Herebic, stated Gazunga LLC has not been able to obtain development financing for the project and therefore the request is economy related. Cmmr. Hart questioned how many phases were included within Pradera Pointe. Staff stated the project included seven (7) phases and the extension of the Phase I final plat would automatically extend the preliminary plan approval for the entire project. Chairman Bunning questioned whether the extension would have an impact on any highway 160 improvements. Staff stated the extension of phase I would not impact any highway improvements. Cmmr. Lattin questioned whether the new land use code regulations could be applied to the preliminary plan approval. Staff stated the project has received final plat approval for one phase and preliminary plan approval for the entire project which essentially ties them to the old code assuming the approvals do not lapse. Staff stated if the project had only received sketch plan approval under the old code the subsequent submittals would have been subject to the new land use code regulations. Chairman Bunning opened the agenda item for comment. No comment was received. Chairman Bunning closed the item for comment. Cmmr. Woodruff motioned to recommend approval of the phase I final plat extension for an additional one (1) year, to expire on May 6, 2010. Cmmr. Hart seconded the motion. The motion was unanimously approved.

IV. Design Review Board

V. Planning Commission

A. Resolution 2009-01 Adopting the Administrative (User's) Manual – Staff stated this public hearing was scheduled to accommodate Planning Commission review and action regarding adoption of the Land Use & Development Code Administrative (User's) Manual. Staff noted public hearings regarding the adoption of a revised Land Use Code, Official Zoning Map and Administrative Manual were completed on

Pagosa Springs Planning Commission

Meeting Minutes – February 10, 2009

December 5, December 15, January 13, January 15 and February 3. Staff stated second reading of the ordinance adopting the Land Use Code and Official Zoning Map was completed by Council at the February 3, 2009 meeting. Staff referenced an attached memorandum that outlined proposed modifications to the administrative manual as identified by the LUDC Advisory Committee, town legal counsel and staff. Staff recommended approval of Resolution No. 2009-01 adopting the administrative manual contingent upon a condition to incorporate the revisions as outlined in the memorandum. Chairman Bunning opened the public hearing for comment. No comment was received. Chairman Bunning closed the item for comment. Cmmr. Hart motioned to approve Resolution No. 2009-01 adopting the Administrative Manual contingent upon the following: (1) incorporate revisions as outlined in the attached memorandum. Cmmr. Lattin seconded the motion. The motion was unanimously approved.

V. Reports and Comments

A. Town to Lakes Trail Update: Staff stated the town has continued to pursue easements with the remaining property owners along this proposed trail alignment. Staff explained that two (2) segments of trail easement that transect two (2) separate parcels are needed prior to commencement of design/engineering phases of the project. Staff noted the town has recently been working closely with the Archuleta County Development Services Department in an attempt to implement alternative approaches in hopes of securing the easements in a more timely fashion.

B. Alpha Drive – Bev Warburton, representing Alpha Property Owners Association stated she would like to remind the Planning Commission that they have the authority to address development issues before they become a reality. Warburton stated the maintenance of Alpha Drive was currently in question and the developer of Aspen Village was not going to honor a previously established Memorandum of Understanding. Warburton stated Alpha Drive was included in the Aspen Village development plans per CDOT's request and reiterated that owner's within Alpha Subdivision were not noticed or allowed to make comments until it was too late. Warburton stated the Alpha-Rock Ridge Metro District has been asked by the Town to consider re-negotiating the MOU to address certain issues. Warburton stated the Metro-District would not agree and did not feel its property owners should pay for the maintenance of Alpha Drive since the developer signed the agreement. Warburton stated the MOU required that the town secure a performance bond, which was not completed. Warburton stated these bonds need to be in place and secured per the MOU. Warburton stated the development is ridden with weeds and is representative of a wasteland. Warburton stated the Town should stick to the agreements they sign and enforce the agreement to obtain the trust of the community. Chairman Bunning stated the roadway is surrounded and utilized by Town and County properties which often complicate discussions. Warburton stated the Town agreed to annex a portion of Alpha Drive upon completion of improvements. Staff stated the town met with the Alpha-Rock Ridge Metro District and Archuleta County representatives a week ago to discuss the MOU. Staff stated Pagosa Partners I forwarded a letter to the Metro District stating they would no longer honor the MOU due to a variety of issues. Staff stated the Town is currently working towards a solution that will hopefully meet the needs of the involved entities. Chairman Bunning requested that updates be provided to the Planning Commission on this matter. Staff acknowledged this request and stated future staff reports will include the relevant information in regards to this issue. Chairman Bunning thanked Ms. Warburton for attending the meeting and expressing her concerns.

Pagosa Springs Planning Commission
Meeting Minutes – February 10, 2009

C. Next Meeting February 24, 2009 @ 5 p.m.

Minutes approved: _____
Chairman, Tracy Bunning