

Pagosa Springs Planning Commission

Meeting Minutes – January 22, 2008

I. Call to Order / Roll Call

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

II. Announcements

III. Consent Agenda

A. Approval of the January 8, 2008 meeting minutes – Cmmr. Lattin motioned to approve the January 8, 2008 meeting minutes. Cmmr. Woodruff seconded the motion. The motion was unanimously approved.

IV. Planning Commission

A. Putnam Annexation & Zoning – Staff introduced the Putnam Annexation which includes 26 property owners and 140 acres of property. Staff stated in order to comply with Article II, Section 30 of the Colorado Constitution 50% of the property owners owning more than 50% of the land area (excluding land owned by the Town of Pagosa Springs) must consent to the annexation in order for the Town to annex property by ordinance. Staff stated sixteen (16) property owners, excluding the Town of Pagosa Springs, have signed the petition which represents 129 acres or 91% of the property. Staff continued to explain that all properties in the Putnam Annexation will be assigned a base zone district of A-District, Single Family Residential excluding the Pagosa Cemetery which will receive an Open Space (OS) designation. Staff stated draft annexation agreements have been established with four (4) property owners: Stretton's, Matthews, Young and Reynolds/Herrington. Staff stated at the December 4, 2007 Town Council meeting and during review of the resolution of intent to annex the subject property, the Council directed staff to work with the Matthews and Reynolds on voluntarily including a real estate transfer fee. Staff stated Reynolds/Herrington opposed the RETA and requested that the language be removed. Staff noted the Matthews had agreed to the RETA. Chairman Bunning requested additional information on the implementation of the RETA. Staff stated the language included in the Matthews annexation requires a 1% transfer fee that will be collected upon any future transfer of the property, excluding the sale of this property to the first successor. Staff stated a RETA notice, prepared by the Town Attorney, is recorded concurrently with the annexation agreement and is tied to the property similar to an encumbrance or lien. Chairman Bunning opened the public hearing for comment. Kathy Young questioned why her property needed to be included in this annexation effort. Staff stated the property is included in the annexation for a number of reasons including cleaning up the town's boundary, issues regarding Trujillo Road and adjacent properties that have petitioned to annex into the Town. Mark Young questioned whether the Town would take any of his property to complete any future road improvements to Trujillo Road. Staff stated the Town would not utilize eminent domain to acquire any property for road improvements in this area; although additional right-of-way may be necessary to improve Trujillo Road. Bob Hart stated the annexation and subsequent zoning may restrict commercial construction on this property. Staff stated the annexation agreement allowed the current use to remain; however, future development on the property would require the applicant to comply with the LUDC and Comprehensive Plan. Chairman Bunning closed the public hearing for comment. Cmmr. Conrad motioned to approve the request to annex and concurrently zone the subject property as

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A-District Single Family Residential and the Pagosa Cemetery as Open Space (OS).
Cmmr. Woodruff seconded the motion. The motion was unanimously approved.

V. Reports and Comments

A. Staff – Next meeting February 12, 2008 @ 5:00 p.m.

B. Land Use and Development Code Update – Staff stated Clarion Associates will be meeting with the LUDC Advisory Committee on February 4th and 5th to discuss Module 1.

Minutes approved: _____

Tracy Bunning, Chairman