

# **Pagosa Springs Planning Commission**

## **Meeting Minutes – February 24, 2009**

### **I. Call to Order / Roll Call**

The Planning Commission meeting was called to order by Vice-Chair Kathie Lattin. Commissioners Hart, Herzog and Woodruff were present.

### **II. Announcements**

### **III. Consent Agenda**

**A. Approval of the February 10, 2009 meeting minutes** – Cmmr. Hart motioned to approve the February 10, 2009 meeting minutes. Cmmr. Woodruff seconded the motion. The motion was unanimously approved. Cmmr. Herzog abstained from the vote.

### **IV. Design Review Board**

### **V. Planning Commission**

**A. Garbanzo Grille Conditional Use Permit** – Staff introduced the request by the applicant, Jonathan Terry, for a conditional use permit to operate a temporary food vending unit at 191 East Pagosa Street (San Juan Motel) from March 2009 thru August 2009. Staff stated the applicant's menu includes food cooked in a 'healthy' and 'environmentally responsible' manner. Staff continued to explain the applicant intends to provide lunch time delivery service which would comprise a majority of his business. Vice-Chair Lattin identified a typo in the conditions of approval and requested that the hours of operation be allowed from 11 am to 4pm as defined in the land use permit application. Cmmr. Woodruff stated a condition should be added that requires the vending unit to be removed from the site if there is inactivity for a period of two (2) weeks. Cmmr. Woodruff noted the permit should also become void if the vending unit is moved to another location. Cmmr. Herzog questioned whether the overarching concern was the placement of temporary vendors in this location. Vice-Chair Lattin stated the Planning Commission has been more concerned with establishing a precedent for temporary uses and would rather see businesses move to a permanent location after a certain period of time. Cmmr. Herzog stated he believes temporary vendors in this location serve a purpose and should be allowed. Cmmr. Woodruff stated the new land use code requires a much larger fee for a temporary use which should help address the comparison issue with permanent businesses. Cmmr. Woodruff stated a year round temporary use is not appropriate and applicants need to be searching for a permanent location. Vice-Chair Lattin opened the neighborhood compatibility meeting for public comment. No comment was received. Vice-Chair Lattin closed the agenda item for comment. Cmmr. Hart motioned to recommend approval of the conditional use permit contingent upon the following: (1) the permit being non-transferable; (2) removal of structure within five (5) days following closure or by August 31, 2009; (3) hours of operation from 11am to 4pm, six (6) days per week; (4) the unit being placed in the area as specified in the application; (5) the site to remain clean and orderly; and (6) the permit shall become void if the vending unit is removed from the site and/or if inactivity occurs for two (2) weeks. Cmmr. Woodruff seconded the motion. The motion was unanimously approved.

### **V. Reports and Comments**

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**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 –** Staff stated no further updates are available at this time.

**C. Next Meeting March 10, 2009 @ 5 p.m.**

Minutes approved: \_\_\_\_\_

Vice-Chair, Kathie Lattin