

Pagosa Springs Planning Commission

Meeting Minutes – November 24, 2009

I. Call to order / Roll Call

Chair Kathi Lattin, Vice Chair Bobby Hart and Commissioner Teddy Herzog were present

II. Announcements

NA

III. Consent Agenda

A. Approval of the October 13, 2009 meeting minutes.

Minutes were not available prior to the meeting. PC will review for approval at the next meeting.

IV. Board of Adjustments

A. Roof Eave Setback Variance at 427 S. 5th Street.

Staff reviewed the applicants request to extend the roof eaves into the required setback and staffs recommendation to include drainage swales and roof snow anchors or asphalt shingles to divert drainage away from adjoining properties. Co Chair Hart asked if a common swale could be considered between the adjoining property to the south. Cmmr Herzog asked if the project met the building department requirements. Staff mentioned that all other building dept requirements have been met. The PC asked if the applicant was ok with adding staffs suggested roof snow anchors or asphalt shingles and the drainage swales as a condition of approval. The applicant, Peter Adams stated he was in agreement with staffs recommended conditions of approval. Cmmr Herzog motioned to Approve the setback variance request with the applicants acceptance of adding roof snow anchors or asphalt shingle roofing and drainage swales along the south, west and north sides of the building. Co Chair Hart seconded the motion and added that the applicant should work with the adjoining property owner to the south for a shared drainage swail for both properties that might be along the actual property line. Cmmr Herzog amended his motion to include Co Chair Hart suggestion, Co Chair Hart seconded. The motion passed unanimously.

IV. Design Review Board

NA

V. Planning Commission

A. Re Zone request at 702 S. 10th Street.

Staff reviewed the applicants request to rezone the property at 702 S. 10th Street from R-6 to MU-TC stating the owner would like a similar zone district as was designated prior to the Feb 2009 adoption of the new zoning for this property. Staff stated surrounding properties were also zoned MU-TC and that this zoning fits in with similar zoning in the neighborhood. Co-Chair Hart motioned to “Recommend that Town Council Approve the rezoning request from R-6 to MU-TC”. Cmmr Herzog seconded the motion. The motion passed unanimously.

B. Springs Resort Sketch Plan extension requested.

Staff reviewed the applicants wish to extend the previous sketch plan approval for a period of one year from today’s date. Chair Lattin asked how this effects the current development on the property. Staff stated that it would not affect the cuurent development do to a minor subdivision request that would separate the new development from the future development.

Cmmr Herzog motioned to “approve the one year extension of the sketch plan for submittal of the preliminary plat”. Co-Chair Hart seconded the motion. The motion passed unanimously.

C. LUDC language change to allow Town business owners who own the associated property to be eligible to serve on the Planning Commission.

Staff reviewed the current language in the LUDC regarding Planning Commissioner eligibility as being a Bona Fide Member of the Town. Staff would like to suggest defining Bona Fide as “Bona fide members shall include all Town Electors, Residents, Business Owners owning the associated property within the Town or a Nominee of a Business Owing the associated property that is not a natural person.” Chair Lattin stated it was important that Town wide business owners would be eligible not just Down Town business owners and that we should remove bona fide and just define eligibility. Cmmr Herzog recommended that the business owner or nominee be an Archuleta County Residents. Cmmr Herzog motioned to approve the LUDC sec 2.5.2.B.1 language change to “Bona fide members shall include all Town Electors, Residents, Business Owners owning the associated property within the Town or a Nominee of a Business Owing the associated property that is not a natural person.” adding the requirement of county residency, removing ‘bona fide’ and to give staff the flexibility to produce the appropriate language for the change. Co Chair Hart seconded the motion. The motion passed unanimously. Staff clarified if the PC needed to see the language prior to presenting to the TC, the commissioners agreed that they do not need to see before the TC considered the change in language.

VI. Reports and Comments

A. Town Manager - NA

B. Staff –

1. Pinecrest Subdivision rezoning consideration update.

Staff updated the PC regarding proceeding with the rezoning of this neighborhood. Staff stated that more time was needed to contact all the affected property owners to verify this would be appropriate for all the property owners. Staff will bring this before the PC soon.

2. CDOT TOD Signs discussion.

Staff stated that we have received an inquiry regarding CDOT TOD (Tourist Oriented Directional) signs and if the town would consider approving such “off site signage’ The inquirer stated that he felt his TOD sign located in the County, pulls people off the highway to stop in Pagosa for tours at his business. Cmmr Herzog felt that these signs may have some benefit. Chair Lattin stated that it would be a can of worms. Co Chair Hart agreed with Chair Lattin and added it would be difficult to qualify which business would be allowed a TOD or not. The PC agreed not to pursue this request.

3. Town Council approved;

a. ReZone request at 40 N. 15th Street.

Staff stated the TC has approved this Rezoning request.

b. ReZone Request at 181 S. 7th Street.

Staff stated the TC has approved this Rezoning request.

c. Deletion of “Large Retail Development Permit” references from the LUDC, LUDC Administrative Users Manual and related applications.

Town Manager David Mitchem mentioned that due to a pending legal issue considering a possible referendum and negotiations with that party involved, that currently no action will be made that is inconsistent with the former code requirements

d. Added language clarifying administrative approval of Plat Amendments/Minor subdivisions.

Staff stated the TC approved this language change.

e. Adoption of LUDC Administrative Users Manual By resolution 2009-23.

Staff stated the TC formerly adopted the LUDC Administrative Users Manual by resolution 2009-23.

4. West side of the 200 Block of Lewis Street property driveway access discussion.

Staff explained that we had received an inquiry regarding driveway access to

properties on the north side of the 200 block of Lewis St. Staff suggested we use the free help of James Dietrich from the dept of community development at Fort Lewis College to conduct a few public input meetings regarding a conceptual plan that could be used to address these properties driveway access. Co Chair Hart expressed a concern regarding the effect to potential future business long this section of Lewis Street. Staff stated that this would be presented at any public input meetings.

5. Town to Lakes Trail Update.

Staff updated the PC as to the current easement agreement status. The last signature for the Matthews property trail easement has been received. Staff is currently working with the Stangers for the trail easement through their property. Staff stated that we are working closely with County staff to move this first phase of the Town to Lakes Trail forward.

6. Lewis Building Condo Conversion status.

Staff presented a request from the applicant for a one year extension for recording the Condominium Conversion Plat, CC&R's and Parking Agreement. Staff stated that the applicant has been waiting to see what the economy was going to do. Discussion perused regarding the parking agreement and the time put into working through these requirements with the applicant two years ago. The PC consensus was that the applicant has had two years to finish the recordation of these documents and suggested till the end of the year to finish the recordation.

7. Mesa Heights subdivision replat status.

Staff presented a request from the applicant to request a one year extension from the TC on Dec 01, 09. Co Chair asked why they were looking for an extension if the documents were ready to record. Staff stated that once the documents are recorded, the clock starts for completion of public and private improvements as outlined in their developers improvement agreement. PC consensus was there was no issue with requesting an extension from the TC.

8. Land Use Development Code changes to be updated by end of year.

Staff stated that all LUDC changes will be updated in the LUDC by the end of the year.

9. Next Regular Scheduled Meeting, December 8, 2009 @ 5:00 p.m.

VII. Adjournment

Co Chair Hart motioned to adjourn the meeting at 7:30pm. Cmmr Herzog seconded the motion. The motion passed unanimously.

Kathi Lattin, Chairperson