

Pagosa Springs Planning Commission

Meeting Minutes – October 13, 2009

I. Call to order / Roll Call

The Planning Commission (PC) meeting was called to order at 5pm by Co-Chairperson Lattin. Commissioners Lattin, Hart, Woodruff and Herzog were present.

II. Announcements

NONE

III. Consent Agenda

- A. Approval of the August 25, 2009 meeting minutes:
Cmmr Woodruff motioned to approve the August 28, 09 meeting minutes, Cmmr Hart seconded the motion. Motion approved by a vote of 3 ayes, Cmmr Herzog abstained.

IV. Board of Adjustments

NONE

IV. Design Review Board

NONE

V. Planning Commission

A. Re Zoning Requests

1. **Diane Purdy requested a rezone from MU-R to MU-C of her property at 40 N. 15th Street, Block 2, Lot 7, Pinecrest Subdivision, Townsite of Pagosa Springs.**

Cmmr Woodruff began the discussion inquiring about the history of the zoning change during the development of the new zoning map that was adopted in Feb '09. Cmmr Hart suggested staff look at the whole neighborhood to rezone back to a similar zone district as the previous D-3 district. Staff suggested we address this request first, then proceed with discussing the rest of the neighborhood. Adjacent property owner Sepp Ramsperger asked how the new zone district adopted affects his 6000 square foot office rental building. Adjacent property owner Rose Smith stated she was ok with the historical use of Purdy's building. Adjacent Property Owner Kathi DeClark asked why the neighborhood zoning had been changed and if it could be changed back to a similar zone district. Applicant Diane Purdy Stated that she had received a meeting notice in late 2008 regarding the zoning change, but when she called the planning department to ask if it affected her property, she was told no. The applicant stated the new zone district would require her to do extensive renovations to the building for a business allowed in the MU-R district. This subdivision was originally platted as a commercial subdivision in the 1980's and questioned the reasoning to change it to a district that would not allow many of the existing businesses to expand. After some discussion, Cmmr Herzog motioned to approve the rezoning request and Cmmr Woodruff seconded the motion. The motion was unanimously approved.

2. **John Middendorf requested a rezone from MU-R to MU-TC of his property at 181 S. 7th Street, Block 39, Lot 12-13, Townsite of Pagosa Springs.**

This property was zoned D-3 prior to the adopted zone district change in Feb '09. Discussions included questions regarding the reasoning of the zone change in Feb '09 and how the rezoning request would affect the neighborhood. The applicant John Middendorf's request would allow him to build a similar facility as Davis engineering next to his lot. In comparison the Davis Engineering building is approx 7500 square feet and the applicant's current proposal is to erect a 6000 square foot building. PC discussed the mass of a potential building in relation to the neighboring residential homes. Staff stated that the mass could be the same as a residential building which is allowed under the MU-R district. Staff noted the max height allowed would be 40' in the proposed MU-TC zone district compared to 35' in the MU-R zone district, the former D-3 district allowed 35' (all to the midspan of the roof). Cmmr Herzog motioned to approve the rezone request and Cmmr Hart seconded the motion. The motion was unanimously approved.

B. Land Use Development Code

1. **Staff would like to review a clarification regarding Minor Subdivision approval process as described in the LUDC section 2.4.3.B. for the town councils consideration for an ordinance to correct the wording.**

Staff stated the intent of the LUDC was to allow administrative approval of minor subdivisions, plat amendments and consolidations, however there is some language in LUDC section 2.4.3.A.5 that conflicts with the language of LUDC section 2.4.3.B.2.a and LUDC table 2.2.-1. The PC agreed that was the intent of the new LUDC. Cmmr Hart motioned to approve the LUDC corrections in LUDC section 2.4.3.A.5 Acceptance of Dedications. Cmmr Woodruff seconded the motion. The motion was unanimously approved.

Pagosa Springs Planning Commission

Meeting Minutes – October 13, 2009

2. Remove all language referring to the LUDC section 2.4.3 “Large Retail Development Permit” and Administrative users manual that was repealed per ordinance No. 743.

Staff stated the recent Town Council repeal of LUDC section 2.4.5 “Large Retail Development Permits” left some references in remaining portions of the LUDC, LUDC administrative users manual and related applications, to the repealed section. This is merely a house cleaning to delete those references. Cmmr Woodruff motioned to approve the deletions of references in the LUDC, LUDC administrative users manual and related applications, to the repealed section 2.4.3 of the LUDC. Cmmr Herzog seconded the motion and the motion was unanimously approved.

C. Planning Commission election of a new Chairperson and Vice Chairperson.

PC elected unanimously Vice Chairperson Lattin as the new Planning Commission Chairperson and Bobby Hart to Vice Chair.

VI. Reports and Comments

A. Town Manager –

Town Manager David Mitchem (**DM**) discussed a county resident having filled a petition to uphold the LUDC section 2.4.5 “Large Retail Development Permits” suggesting the repeal was done improperly. DM stated that was not the case, the repeal was done correctly. DM stated he has spoke to this person who represents some concerned citizens, and suggested that if there is any items the group would like to be added to the LUDC to address specific concerns, DM would be happy to hear them. PC will be updated as this progresses.

DM Announced James Dickhoff will be holding the planning position until it is determined that filling the position is warranted through the budget or Planning applications.

DM announced the new web site associated wit the Chamber of Commerce web page and the Archuleta County Economic Development Association web page. The town paid for this and is the most comprehensive information available in the nation.

DM mentioned the resignation of the Archuleta County Economic Development Association (AEDA) director Bart Mitchell. The Town and County will meet with the AEDA board , facilitated by Region 9 Economic Development Association, concerning the future direction of the AEDA and possible replacements for the open directors position. DM asked PC to please pass on any input to him.

B. Staff –

1. Filling Commission vacancy.

Staff stated we have not received any applications other than one non resident application to fill the open PC board seat. Staff will continue to advertise for the vacancy. Some discussion followed regarding allowing property owners that are not residents to be allowed as potential board members. PC directed staff to look into this further and report back at the next meeting.

2. Current Commissioner terms.

Cmmr Woodruff asked staff to verify that her term is up in 2012.

3 . Staff would like to confirm with planning commission if any changes to the LUDC Administrative Users Manual are necessary.

Staff reviewed a Town Council (TC) member’s interest to have the TC formerly adopting the LUDC Administrative Users Manual, formerly adopted by the PC. The PC adoption of the LUDC Administrative Users Manual has the force of law through the powers granted to the PC by the Town Council, however Town Council would like to also formerly adopt the LUDC Administrative Users Manual. Staff asked the PC if any changes would be suggested prior to the TC adopting. Cmmr Herzog and Woodruff both stated that with having many applications since the adoption, not enough use of the document has occurred to suggest any changes at this time.

4. Next Regular Scheduled Meeting November 10, 2009 @ 5:00 p.m.

VII. Adjournment

Cmmr Hart motioned to adjourn the meeting and Cmmr Woodruff seconded. The motion was unanimously approved and the meeting adjourned at 6:35pm.

Minutes approved: _____

Chairperson, Kathi Lattin