

Pagosa Springs Planning Commission

Meeting Minutes – January 12, 2010

I. Call to order / Roll Call

Commissioners Kathie Lattin, Bobby Hart, Natalie Woodruff and Teddy Herzog Present.

II. Announcements

III. Consent Agenda

A. Approval of the October 13, 2009 & November 24, 2009 meeting minutes:

Vice Chair Hart motioned to approve the both meeting minutes, Cmmr Herzog seconded the motion. The motion was unanimously approved.

IV. Board of Adjustments

NA

IV. Design Review Board

NA

V. Planning Commission

A. Sawmill Place preliminary PUD Plan extension requested.

Staff stated that the applicant has requested a one year extension of the preliminary PUD plan originally approved on November 5, 2008. Staff reviewed that the applicant is still working with CDOT regarding access along with a few other items required by the submission of the Final Plan. Cmmr Herzog motioned to “recommend that Town Council approve a one year extension for the Sawmill Place Preliminary PUD Plan”. Vice Chair seconded the motion. The motion was unanimously approved.

B. 257 Pagosa Street, proposed New Furniture Refinishing work shop Building associated with a retail a operation.

Staff stated that the applicant had some challenges acquiring the property in question so this item Would be removed from the agenda, however some discussion on the topic of a wood shop and how it relates to an “industrial use” in the MU-TC and MU-C zone districts. Staff reviewed that the applicant will be in Town next month looking for another possible property to move his business to from Maine. The applicants described use may not be a Light Industrial use, however it is real close to being so. Light Industrial uses are not permitted in the MU-TC & MU-C zone districts. Commissioners stated some concerns might include Noise, Fumes, Hours of operation, ect.. that might affect the quality of life to adjoining residential zoned properties. Cmmr Herzog stated that a Conditional Use may be appropriate with public notices for properties within 300’. Staff stated they will review this further under the LUDC.

C. Annual required Election of PC Board Chair and Vice Chair.

Cmmr Woodruff motioned to re-elect Kathie Lattin as Chairperson and Bobby Hart as Vice Chairperson. Cmmr Herzog seconded the motion. The motion was unanimously approved.

D. Set Regular Meeting Schedule day of month, time and location.

Cmmr Woodruff motioned to keep the regular scheduled monthly meeting on the second Tuesday of each month at 5pm in the Town Hall Council chambers. Vice chair Hart seconded the motion. The motion was unanimously approved.

VI. Reports and Comments

A. Town Manager –

1. David Mitchem (DM) reviewed the recent Arapahoe County court decision in favor of Medical Marijuana Dispensary owners. DM has contacted the Town’s attorney to see how this decision may affect our current moratorium on medical Marijuana Dispensary’s.
2. DM reviewed that the referendum regarding Large Retail Development will be included on the Town’s general election in April. DM reiterated that staff can not take a stance on the issue.

B. Staff –

1. Pinecrest Subdivision rezoning consideration update.

Staff stated that moving forward with the rezoning in this neighborhood has not taken place as of yet, however the planning commission should expect to see the request as early as the February meeting.

NOTE: Chair Lattin excused herself from the remainder of the meeting due to a personal matter.
Vice Chair Hart assumed the role as the meeting Chair.

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

Town Manager DM reviewed the intent to allow business owners, owning the associated property, the opportunity to serve on the Planning Commission. Bill Hudson suggested that not allowing non business and property owners that are residents of the county would create two classes of citizens and would be unconstitutional. Cappy White suggested that allowing county residents the opportunity to vote in Town elections should be the direction. Bob Hart spoke in favor of allowing business owners the opportunity to serve on the PC and as a home rule we should allow it. Staff stated that the original intent to allowing business owners to serve on the PC, was an attempt to clarify the current LUDC definition of eligibility that 'PC members shall be bona fide members of the Town' and business owners might fit into that definition. The planning commission agreed to continue to pursue allowing business owners as eligible members. Staff stated they will seek legal council on this proposed eligibility definition as well as appropriate language and will bring before the PC for their review prior to presenting to Town Council.

3. North side of the 200 Block of Lewis Street property driveway access discussion.

Staff reviewed an inquiry regarding access to these property's via a driveway. The lots on the North side of the 200 block of Lewis Street have steep inclines up to the lots and driveway access will encroach into the public right of way. Cmmr Woodruff suggested street level garages. Vice Chair Hart suggested a neighborhood parking lot might be considered. Cappy White suggested a variance for garage set backs that would be at street level. Staff asked if the planning commission agreed with having James Ditreich from the office of community development services at Fort Lewis College provide a free service of conducting public neighborhood meetings addressing possible solutions. The consensus of the PC was to move forward with James Dietrich.

4. Town to Lakes Trail Update.

Staff briefed the PC on the recently secured Matthews property easement, the Stangers property progress and the cooperation with the county on proceeding with phase 1 of the Town to Lakes Trail.

5. Burnett rezoning request to be presented on February 9, 2010.

Staff notified the PC that this request will be before the PC at their Feb 9, 2010 meeting.

6. Next Regular Scheduled Meeting, February 09, 2010 @ 5:00 p.m.

C. Planning Commission –

NA

VII. Adjournment

Cmmr Herzog motioned to adjourn the meeting at 6:35pm. Vice Chair Hart seconded the motion.

The motion was unanimously approved.

Meeting Minutes approved: _____

Bobby Hart, Vice Chairperson