

Pagosa Springs Planning Commission

Meeting Minutes – October 28, 2008

I. Call to Order / Roll Call

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

II. Announcements

III. Consent Agenda

A. Approval of the October 14, 2008 meeting minutes – Cmmr. Lattin stated she did not have an opportunity to review the October 14, 2008 meeting minutes in detail. Chairman Bunning stated the review of these minutes would be continued until the next regularly scheduled meeting.

IV. Design Review Board

V. Planning Commission

A. Reservoir River Ranch Concurrent Sketch/Preliminary Submittal Requirement Waiver Request – Staff introduced the request by the applicant, Fairway Land Trust, to waive certain submittal requirements as required by the LUDC for a concurrent sketch/preliminary plan subdivision review. Staff stated the Town received an application in August of 2008 requesting annexation and zoning for the Levine property. Staff stated the annexation application included a draft version of a combined developer's agreement and annexation agreement which requested vested rights for uses/densities over a twenty-five (25) year period with limited mitigation analysis by the Town. Staff continued to explain that Town legal counsel advised that vested rights should not be granted without adequate analysis and consideration of densities, uses and potential impacts as established in the Municipal Code subdivision process. Staff stated the applicant has decided to proceed with the concurrent sketch/preliminary plan process in accordance with Section 21.7.8 of the Municipal Code in an attempt to secure vested rights as contemplated in the developer's agreement/annexation agreement. Staff noted the applicant would ultimately like to complete the annexation and withhold submittal of any final plats until a future date. Staff stated the applicant has requested the waiver of the following submittal requirements per Article 7, Section 21.7.4 (Table 7.1): Landscape Plan, Soils Report & Map, Geologic Report, Grading & Drainage Plan Report, Master Utility Plan and any Covenants or Architectural Guidelines. Staff noted that Section 21.7.4(2) of the Land Use Code provides the Planning Commission the authority to waive certain subdivision submittal requirements. Staff recommended approval of this request with the understanding that these submittal requirements will apply at final plan. Cmmr. Woodruff arrived. Chairman Bunning asked the project representative whether they had a chance to review the staff report and whether they agreed with the recommendation. Project representative, Nancy Lauro, stated the applicant agreed with the staff report and proceeded to read a letter submitted by Stanley Levine. Lauro suggested that the submittal requirements would not be waived but rather delayed until final plan. Chairman Bunning stated the request makes sense at this stage in the process and noted it seemed unnecessary for the applicant to complete these submittal requirements at this point. Chairman Bunning opened the public hearing for comment. No comment was received. Chairman Bunning closed the public hearing. Cmmr. Hart motioned to approve the request to waive certain submittal requirements as defined in Table 7.1 (LUDC)

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specifically regarding a potential Reservoir River Ranch subdivision application, with the understanding these submittal requirements will apply at final plan, including: landscape plan, soils report/map, geologic report, grading/drainage report, master utility plan and any covenants or architectural guidelines. Cmmr. Lattin seconded the motion. The motion was unanimously approved.

V. Reports and Comments

A. Land Use & Development Code – Staff stated a public review draft of the entire code, including a zoning map, will be available November 7th.

B. Town to Lakes Trail – Staff stated the Town and County continue to work with property owners along this proposed alignment in an attempt to secure pedestrian access rights.

C. Annexations – Staff stated a number of annexations are in various stages of processing; including: Goodman, Blue Sky Village, Blue Sky Ranch and Reservoir River Ranch.

Staff – Next meeting November 25, 2008 @ 5:00 p.m.

Minutes approved: _____
Chairman Tracy Bunning

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Good afternoon.

I regret not being able to attend this meeting personally, as I wanted to address you and explain a little about our background and reasons we are requesting annexation. We have been in Pagosa Springs since 1992, when we purchased a house and some land on 4 mile road.

In 1998, we were offered the opportunity to and did purchase the Lynn Ranch on Reservoir Hill, strictly for its beauty and investment purposes. . Last year, we purchased the adjoining Catchpole Ranch, as the Catchpole family had not lived there for many years and were not interested in keeping it.

When I say “WE”, I am referring to the Fairway Land Trust, the owner, which is a company owned 100 percent by my wife Elaine and me, and our 4 children, I wanted to tell you about the ownership details to help explain that we are not developers. My family loves Pagosa Springs, its beauty, the quality of life we found here, and the people who live here. We love the property that we have been fortunate enough to be stewards of and have tried to maintain and nurture it. We have engaged in extensive forestry projects, and our forester won honors for his work with us on our land. We work with Government agencies to continually restore and preserve the land, and are now planning a river restoration project for Mill Creek, We have been collaborating with the Town planning staff for more than 2 years to attempt to create a master planned development of this large tract of land that will preserve it and commit it to a planned future development that will leave a legacy for us and the Town that we can be proud of in future generations.

Although this process before you is not quite what we submitted, we are willing to accept the recommendations of the Town Attorney and Staff as a threshold for starting the annexation process

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Thanks for this opportunity, and I look forward meeting you at future planning Commissions meetings