

Pagosa Springs Planning Commission

Meeting Minutes – February 26, 2008

I. Call to Order / Roll Call

The Planning Commission meeting was called to order by Chairman Bunning. Commissioners Woodruff, Lattin, Conrad and Atkinson were present. Staff Allen and Nigg were present.

II. Announcements

III. Consent Agenda

A. Approval of the February 12, 2008 meeting minutes – Cmmr. Lattin motioned to approve the February 12, 2008 meeting minutes. Cmmr. Woodruff seconded the motion. The motion was unanimously approved.

IV. Design Review Board

A. Discussion on ‘Going out of Business’ signs – Staff stated the current sign code does not address ‘going out of business’ temporary signage and requested clarification from the Design Review Board. Staff explained that the current code requires a temporary sign permit which involves payment of fees and a deposit. Staff stated that based on sign code regulations ‘going out of business signage should be incorporated with existing provisions for grand opening signs excluding the requirement to pay fees and deposits. Chairman Bunning opened the agenda item for comment. No comment was received. Chairman Bunning closed the item for comment. Cmmr. Woodruff motioned to approve staff’s recommendation that ‘going out of business’ signage be included under the provisions established within the LUDC in regards to grand opening signs; excluding the requirement to pay fees and deposits. Cmmr. Lattin seconded the motion. The motion was unanimously approved.

V. Planning Commission

A. Blue Sky Ranch Comprehensive Plan Amendment – Staff introduced the request by the applicant, Blue Sky Ranch LLC, represented by Russell Engineering Inc., to complete a comprehensive plan amendment on the property known as Blue Sky Ranch. Staff stated the applicant would like to (1) modify the planning area boundary as defined on the Future Land Use Plan to include the entire Blue Sky Ranch property and (2) designate the remaining property (1,253 acres) as Rural Residential. Staff noted approximately 120 acres of the subject property lies within the extent of the planning area boundary as defined on the future land use map. Staff provided a brief overview in regards to the request to amend the planning area boundary. Staff stated the inclusion of this land (within the Comprehensive Plan planning area boundary) was seen as necessary to any long term planning effort, as development and service provisions within that area are inherently linked to the Town. Staff continued to explain that the applicant has proposed the planning area boundary modification to accommodate potential annexation and development of the property under Town jurisdiction. Staff noted that the planning area boundary was adopted in May of 2006 and does not believe that surrounding properties and community growth in general have changed to a substantial degree to warrant a significant modification to the planning area boundary. Staff stated that based on existing property boundaries the Town does not have the ability to annex the subject property due to no established contiguity. Staff reiterated that the planning commission and town council should ultimately determine whether conditions have changed that would

Pagosa Springs Planning Commission

Meeting Minutes – February 26, 2008

establish this areas as a logical location to extend services. Staff continued to explain that if the planning commission determines that the planning area boundary should be modified per the applicant's request, then the planning commission should subsequently determine the appropriate land use category for this property. Staff stated the requested Rural Residential classification establishes a density that can range from 1 unit per 5 acres to 1 unit per acre, depending on the amount of land set aside as open space. Staff noted the requested classification could result in a range of 250 to 1,253 residential units, based on the description of this land use category. Staff additionally stated no town services are currently provided within approximately 1.5 miles of the subject property. Staff summarized a letter received on behalf of Archuleta County that cited conflicting information between the Comprehensive Plan and Community Plan. Staff quoted the following, "...the County recommends denial of the request at this time to give the Town and County the opportunity to negotiate and finalize a Three Mile Plan with UGA [urban growth area] qualifications that will better guide and inform the decision making process for requests of this nature". Project representative, Nancy Lauro stated a portion of the property (120 acres) is already included within the planning area boundary and is identified as an appropriate location for Town level services. Lauro continued to explain that the developer would like to preserve the open space corridors and cluster development in an attempt to further the goals and policies of the Comprehensive Plan. Lauro stated that the developer would like to construct a golf course, equestrian center and luxury hotel in addition to clustered residential units. Lauro suggested that other alternatives were possible to meet the state statute contiguity requirement for annexation. Lauro stated that the applicant intends to implement a private water system, utilize Town sewer and internal roads would be private reducing maintenance burdens for the Town. Lauro stated the Town would experience a positive fiscal impact from this development. Chairman Bunning opened the public hearing for comment. Cary Brown stated the proposed comprehensive plan amendment may be preliminary and a minor procedure but the proposal has significant implications and further questioned whether the Town would subsequently annex the property. Brown requested clarification on the creation of the planning area boundary. Staff stated the inclusion of land within the planning area boundary was seen as necessary to any long term planning effort, as development and service provisions within that area are inherently linked to the Town. Brown suggested that the applicant be required to submit some type of site plan. Lauro stated that the developer's intent is to ensure consistency with the Comprehensive Plan prior to committing significant funds to development drawings. Lauro noted that future steps such as annexation and development proceedings would require detailed plans. Joanne Duckman questioned the significance of clustered housing and stated visual aesthetics should be considered. Ron Chacey speaking as a member of the County Planning Commission noted that a sketch plan was reviewed by the County and approved several years ago on this property that is compatible with the County's conservation PUD process. Chacey further stated that he concurs with the letter submitted on behalf of Archuleta County that represented a desire to work towards a defined urban growth area. Lauro stated she was directed to proceed through the Town's process by the property owner and reiterated that the property owner has the ability to subdivide the acreage into 35 acre parcels at any time without restrictions. Staff stated that an additional component may be the need for Town sewer. Staff stated in order for the developer to retain access to Town sewer the property must be concurrently included within the PSSGID and annexed into the corporate boundaries of the Town. Fred Schmidt stated this project will help pay for the sewer facility and additionally keep sewer service fees low. Ernie Amus requested clarification on whether the proposed comprehensive plan amendment included property other than the Blue Sky Ranch. Staff stated that the request did not include any other

Pagosa Springs Planning Commission

Meeting Minutes – February 26, 2008

property. Richard Clave questioned whether property owners have any rights in annexation proceedings and whether the Town had plans for his property. Mike Friesen questioned whether the agricultural status on his property would be changed due to this request. Larry Ash stated the requested rural residential classification was conflicting with land uses mentioned by the project representative. Kelly Fisher agreed that the uses are not consistent with the rural residential category and questioned why this information was being discussed. Bobby Hart questioned whether clustered housing was outside the intent of the Comprehensive Plan. Staff clarified that the rural residential category indeed included clustered housing as optional. Rhonda Ash questioned whether the Town can support the infrastructure and services that would be required. Fred Schmidt stated that subdivisions should not be approved unless they agree to maintain their roads. Fred Bunney asked why the Town was sending him information for property that was located in the County. Bunney stated that even though the developer will install a private water system and maintain the roads, eventually the Town would accept the infrastructure and it will be below Town standards. David Cammack questioned the amount of funds the Town will need to generate to complete the sewer plant. Staff stated that a majority of the funding has been secured and the facility should be online early in 2009. Cmmr. Woodruff suggested the Town and County establish an IGA that addressed property such as Blue Sky Ranch on the outer fringes of the planning area boundary. Cmmr. Atkinson stated a majority of the property was located outside the planning area boundary and questioned the applicability of the 3 Mile Plan comments submitted by the County.. Bob Hart stated the alternative to not including this property in the planning area boundary was the realization that the applicant could subdivide the property into 35 acre tracts without any restrictions. Cmmr. Woodruff asked if any legal ramifications were a possibility if the comments from the County were ignored. Staff stated there were no legal issues. Staff further stated that the planning commission ultimately should weigh whether Town services and urban level development are appropriate for this property. Mary Hart requested clarification on the developer's vision for the placement of residential units. Lauro stated a finalized plan had not been completed. Cmmr. Atkinson stated that it may be beneficial to include the County Planning Commission in this discussion per their request. Cmmr. Atkinson requested clarification from Ron Chacey regarding the process in which the County reviewed the Blue Sky Ranch project. Chacey stated a concept plan was presented although the land use code at the time did not enable the applicant to move forward. Chacey stated the County was attempting to complete an agreement that would allow the applicant the ability to move forward with their plans outside of the regulations established in the land use code. James Robinson stated the question before the planning commission was essentially whether development and service provisions were inherently linked to the Town. Fred Bunney stated the County and Town should have compatible planning documents. Cmmr. Atkinson stated a worksession between the County Planning Commission and Town Planning Commission may provide some additional clarity on this discussion. Cmmr. Woodruff agreed that the planning commission should not disregard the comments in regards to the community plan without allowing the County the opportunity to clarify and validate their position. Chairman Bunning stated that the planning commission has the ability to review and act on this request and questions why the comments were submitted by the County at the last minute without BOCC or County Planning Commission endorsement. Cmmr. Atkinson stated the County should have the opportunity to clarify their position and allowing them the opportunity supports the public process and public input that has been received. Chairman Bunning closed the public hearing for comment. Cmmr. Atkinson motioned to continue the comprehensive plan amendment request with the recommendation that the County Planning Commission and Town Planning Commission (with notice to the BOCC

Pagosa Springs Planning Commission
Meeting Minutes – February 26, 2008

and Town Council) further discuss this request in a worksession. Cmmr. Conrad seconded the motion. Chairman Bunning suggested that the County be required to provide explanations on the items detailed in the letter. Cmmr. Atkinson amended the motion to include this statement. Cmmr. Conrad seconded the amended motion. The motion was unanimously approved.

V. Reports and Comments

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

B. Land Use and Development Code Update – Staff stated Clarion Associates met with the LUDC Advisory Committee on February 19th and February 20th to review the first draft of Module 1. Staff stated an additional meeting has been scheduled on March 3 at 3pm to complete discussions on components of Module 1 including the permitted use chart. Staff noted that the project timeline and scope of work will also be discussed.

C. Wayfinding Signage, Streetscape Furnishings and Logo Development Plan – Staff stated Nuszer-Kopatz met with stakeholders and the steering committee on February 25th and presented preliminary concepts for plan elements. Staff noted the consultants would be returning in approximately five weeks to present refined concepts.

D. Regional Parks, Recreation, Open Space and Trails Master Plan – Staff stated the master plan created by Greenways Incorporated would be reviewed by the Town's Parks and Recreation Commission on March 12th and noted a final copy is available on the Town's website. Staff suggested that any comments be submitted prior to the meeting.

E. Joint Planning Area – Staff addressed the concept of joint planning areas and the issue of whether a project should be Town or County reviewed and the associated responsibilities. Staff stated a draft IGA with the County was established under previous County administration that was never finalized. Staff stated the IGA addressed the extension of services and treatment of peripheral areas such as the Blue Sky Ranch property.

Minutes approved: _____
Tracy Bunning, Chairman