

Pagosa Springs Planning Commission

Meeting Minutes – October 14, 2008

I. Call to Order / Roll Call

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

II. Announcements

III. Consent Agenda

A. Approval of the October 14, 2008 meeting minutes – Cmmr. Herzog motioned to approve the August 26, 2008 and September 9, 2008 meeting minutes. Cmmr. Hart seconded the motion. The motion was unanimously approved

B. Riverwalk Condominiums Trail/Improvement Agreement Modification – Staff stated on June 5, 2005 that Town Council approved the final plan and associated development improvement agreement (DIA) for the project known as Riverwalk Condominiums. Staff stated the DIA was signed and dated October 2005; and defines that the developer shall install public improvements (phase I & phase II) within one (1) year of Town Council approval. Staff explained that in early 2008 the Town issued a letter referencing the developer's responsibility to complete trail improvements by August 31, 2008. Staff stated the developer recently submitted a request to modify the DIA and extend the trail improvement completion date until August 31, 2009. Staff stated the extension of this improvement into 2009 will allow the Town the ability to coordinate additional trail improvements in this area with the developer. Chairman Bunning opened the agenda item for public comment. No comment was received. Chairman Bunning closed the item for comment. Cmmr. Hart motioned to approve the modified Development Improvement Agreement (DIA) to extend the completion date for required Phase II public improvements (Riverwalk Trail) until August 31, 2009. Cmmr. Herzog seconded the motion. The motion was unanimously approved.

IV. Design Review Board

V. Planning Commission

A. Sawmill Place Preliminary Plan PUD (continued from July 24, 2007) – Staff introduced the request by the applicant, Schlaefli Family Trust, to review the preliminary plan of a planned unit development consisting of 37 townhomes, 14 residential condominiums and five (5) mixed-use lots for future development along Hwy 160. Staff noted these five mixed use lots will include a maximum of 12 residential condominiums and 30,000 square feet of commercial space. Staff stated the property is approximately 11.61 acres and defined as a four (4) phase development. Staff explained the Planning Commission originally reviewed the preliminary plan at the July 24, 2007 meeting and continued the project until the applicant could address CDOT highway access concerns and a number of other issues. Staff noted the applicant was recently issued a CDOT access permit onto Hwy 160 and that appropriate permits were granted by the Army Corps of Engineers in regards to required wetland mitigation. Staff stated a recommendation was included in the report requesting that Sawmill Place complete the remaining portion of Eagle Drive to the intersection of Pike Drive (behind Big-O-Tire) to provide assurance that safe left turn movements could be accommodated at the Piedra Road lighted intersection. Staff explained that previous discussion from the Planning

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Commission and Town Council involved Pradera Pointe and Sawmill Place impacts on these roadways and the opportunity for shared improvements. Staff stated Pradera Pointe was tied to this improvement concurrent with Phase II and noted the Town would credit Eagle Drive and Pike Drive improvement towards road impact fees for this development and potential cost reimbursement could be explored with Pradera Pointe developers to further off-set costs. Staff stated this connection is outlined in the Access Management Plan and this project provides an opportunity to complete this necessary improvement. Staff continued to explain the other option was to collect the road impact fee dollars and at some point in the future either Pradera Pointe (phase II) or the Town would need to complete the roadway connection. Andy Schlaefli stated the project has been issued a CDOT access permit and noted the traffic impact study was also accepted by CDOT. Schlaefli stated he was surprised to see condition no. 2 in the staff report requesting the completion of this roadway and felt it was unreasonable for the town to require this improvement in conjunction with this project. Staff explained that CDOT issued a permit requiring a right-in/right-out only onto Hwy 160; thereby vehicles needing to make a left to travel downtown will presumably utilize Pike Drive to complete the u-turn. Staff stated the request was included to uphold the intent of the Access Management Plan while allowing vehicles the opportunity to complete a left-turn movement at a lighted intersection. Schlaefli stated he has spent considerable dollars to complete the traffic impact study and noted a requirement of the CDOT access permit was the completion of acceleration and deceleration lanes. Schlaefli noted that CDOT has required the acceleration lane to extend to the intersection of Pike Drive. Schlaefli stated the Rainbow Drive roadway connection was emergency only, per the request of CDOT. Chairman Bunning stated he did not feel the Eagle Drive/Pike Drive connection was warranted from this project alone and noted the intent of the connection was to further advance traffic circulation patterns in this area. Chairman Bunning stated the road impact fee dollars collected by the Town would be a better option. Cmmr. Hart agreed with Chairman Bunning's assessment. Cmmr. Herzog questioned how the right-in/right-out only intersection would function. Schlaefli stated the turn movements are enforced through the design of the intersection. Chairman Bunning opened the public hearing for comment. Ken Hearing stated the project as proposed was reasonably acceptable and questioned if the emergency access would remain in perpetuity. Staff stated CDOT issues access permits based on the assumption a correct traffic impact study was submitted by the developer. Staff continued to explain if CDOT determines a major traffic issue is present they may decide the emergency access should be removed or require further mitigation by the developer. Hearing stated a bond or letter of credit should be secured to improve Rainbow Drive if the emergency crash gate is ever removed. Hearing stated that the Pradera Pointe subdivision and Sawmill Place development would triple ADT's on Brookhill Drive. Hearing suggested that these two projects combine resources with the Town & County to improve Brookhill Drive. Staff stated the Town has received a preliminary estimate to improve Brookhill Drive and CMAQ dollars were potentially available to fund a small portion of the project cost. Staff stated it was unreasonable to require a bond or letter of credit to ensure this roadway would always remain emergency access only. Schlaefli stated the CDOT permit was issued under the pretense that only one access point was allowed onto the highway and any other alternatives were not permissible. Schlaefli explained the development consolidates two deeded access points and is ultimately the safest solution for highway access. Cmmr. Lattin stated CDOT requires reduction in access points and as an entity are not easy to work with. Cmmr. Herzog requested further clarification on left turn movements from this development. Schlaefli stated the Access Management Plan has problems and suggested the appropriate place for a signal was Pike Drive instead of Majestic Drive. Deanna Myers questioned if

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a u-turn would occur on Pike Drive. Staff stated this was the likely scenario for vehicles wishing to complete a left turn to travel downtown (east bound). Staff noted the applicant believes a majority of the traffic wishing to complete this movement will utilize Hwy 160 to access the Piedra Road lighted intersection. Hearing stated CDOT will never support a light at Pike Drive due to sight distances and steep topography. Susie Hannan stated there was already lots of traffic on Rainbow Drive and vehicular trips should be prohibited on these roadways from this project. Chairman Bunning stated the development as submitted included an emergency crash gate and direct access onto Rainbow Drive or any other Pagosa Hills No. 3 roads would not occur. Chairman Bunning continued to explain Pradera Pointe developers agreed to improve the surface integrity of Rainbow Drive and complete other improvements to help facilitate traffic movements in this area. Bill Hudson questioned how left turn movements would be accommodated for individuals traveling to Sawmill Place from an uptown location. Schlaefli referenced the Access Management Plan and the future connection of Eagle Drive. Hudson stated until the Eagle Drive connection was completed; vehicles would have to complete a u-turn on the highway or at the Great West Avenue intersection. Schlaefli stated vehicles can utilize existing deeded access points to complete this turn movement. Hudson stated businesses such as the spa store or fly shop would not appreciate vehicles using their parking lot as u-turn location. Chairman Bunning stated the developer has analyzed these issues and further suggested property within the development will not sell if individuals do not like the idea of not being able to make functional left turn movements. Hudson stated the commission was making a decision that could potentially negatively affect businesses until such time the Eagle Drive frontage road was completed. Hudson suggested the developer improve Pike Drive and Rainbow Drive and provide full traffic movements to the development at the Rainbow Drive access and remove any Hwy 160 access. Hudson requested the commission consider fixing the problem at Pike Drive instead of creating further traffic problems. Cmmr. Hart asked the applicant if left turn movements into the development were considered for east bound traffic. Schlaefli stated CDOT would not permit this movement based on the Access Management Plan. Cmmr. Hart stated the Eagle Drive connection behind Big-O-Tires as requested by staff was not the solution and recommended payment of road impact fees. Cmmr. Lattin concurred. The Planning Commission reached consensus to remove condition no. 2 from the recommendation. Staff outlined the exception requests as proposed by the applicant (see staff report dated Oct. 14, 2008). Staff stated a point of clarification on the sidewalk exception request was needed. Staff stated the removal of sidewalks on the north side of Kiln Drive occurred to accommodate wetland mitigation as required by the Army Corps of Engineers. Staff stated there appeared to be some miscommunication between the developer and staff on this issue and reiterated that removal of the sidewalk still required a formal exception request. Schlaefli stated he would like to remove the requirement for this segment of sidewalk from the recommendation. Schlaefli noted that the Pagosa Fire Protection District agreed to allow construction of 19 townhome units without any infrastructure improvements and the letter initially sent to the town would be revised to reflect this information. Project representative, Courtney King requested modification of condition no. 8 to remove references to Aspen Village. King stated the signage plan as submitted includes a reduction of allowable on-site signage (27%) for the commercial/mixed-use parcels. Cmmr. Lattin questioned the reduction and process utilized for the Country Center (uptown City Market). Staff stated those numbers would need to be researched but could be forwarded to the Planning Commission for review concurrent with final plan. The Planning Commission agreed that staff should provide numbers from both Aspen Village and Country Center to utilize in analyzing this signage proposal. Deanna Myers stated the proposed reduction of street lights to intersections only was appropriate to

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protect dark skies and requested the applicant install additional vegetation on the west property boundary. Schlaefli stated a landscape plan was submitted that included vegetation on this property boundary. King stated the north property boundary would not accommodate additional vegetation due to the existing topography. King stated the developer did not want to disturb existing vegetation on this boundary but noted a few trees could be placed were space allowed. Hudson questioned why the off-site signage was requested at the Hwy 160 intersection and suggested the commercial properties would be better served with larger signs on the building facades. King stated the applicant intended to create a gateway to the development and a sense of place. Cmmr. Herzog questioned whether the entry monument signage was appropriately designed. Staff noted the Planning Commission's task was whether off-site signage was appropriate at this location and whether the reduction as presented was acceptable; not necessarily the design of the feature. Hannan questioned whether elevations of the buildings were available and whether a timeframe existed for the completion of Eagle Drive. Chairman Bunning stated the Eagle Drive connection between Pike Drive and the western portion of this property will be strictly driven by development on these privately owned parcels. Staff stated proposed building elevations were available for public review at Town Hall. Hannan questioned whether the signage was perpendicular to the highway and requested that any illumination be kept to a minimum. Staff stated the land use code included requirements for internally illuminated signage or any up-lit signage. Chairman Bunning closed the public hearing for comment. Cmmr. Herzog motioned to approve the preliminary plan with approval of all exceptions requested contingent upon the following: (1) address open space and roadway dedication issues; (2) submit verification at final plan that emergency access to Rainbow Drive has been secured; (3) vacate Bass Drive right-of-way and complete annexation of this parcel prior to recordation of the subdivision plat; and (4) address additional vegetation comments per original sketch plan submittal on the west & east property boundaries, as feasible. Cmmr. Hart seconded the motion. The motion was unanimously approved.

V. Reports and Comments

A. **Staff** – Next meeting October 28, 2008 @ 5:00 p.m.

Minutes approved: _____
Chairman Tracy Bunning