Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Agenda
Tuesday, March 08, 2016 at 5:30 p.m.

Town Hall, Council Chambers, 551 Hot Springs Boulevard,
Pagosa Springs, Colorado 81147

I. **Call to order / Roll Call:** Commission Chair Maez called the meeting to order at 5:30 PM. Commissioners present were Commissioner Maez, Commissioner Martinez, Commissioner Parker, and Commissioner Giles. Also in attendance were Planning Director James Dickhoff and Associate Planner Rachel Novak.

II. **Announcements:** None

III. **Approval of Minutes**

A. *Approval of the February 9, 2016 Planning Commission meeting minutes:* Commissioner Giles moves to approve the minutes as they stand. Commissioner Martinez seconds. Unanimously approved.

IV. **Public Comment**

A. *Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda*: None Received

V. **Board of Adjustments**

A. *Application for Variance for Front Yard Set Back reduction, Mesa Heights West*: Planning Director James Dickhoff provided background on the project. The site is zoned as R-6 and the setbacks in this area have a 25ft minimum setback. The application is for a reduction in this setback to 15ft, a ten-foot reduction. As of today, staff has not received any public comments for this application. There are 10 criteria that variances must meet prior to approval. Applicant Brad Ash is working with the land owner on a variance for development. Brad Ash states that there is a 60ft ROW and the newer setback reduction of 10ft will greatly help with development. Lots 26 and 25 are not seeking a variance of these sites as they are not as challenging for development. Lots 27 and 28 could have development starting at 15-16ft above the roadway. Currently, the Mesa Heights West development does have variable setbacks as it is. Lots 30-27 the applicants are asking for a variance due to the steepness of the terrain. The building height could be extremely high and Brad Ash states that he is trying to keep the feeling of the neighborhood, 1500-1600sqft with a two car garage. Commissioner Parker asks if there are drawings of the properties yet. Brad Ash states that the drawings are complete. Commissioner Parker asks about the appearance of the driveways. Brad Ash states that all of the driveways will have a 12% grade and it's the garage that will be encroaching the most upon the setback. Planning Director James Dickhoff discusses the 10 criteria that must be met by the applicant to get approval for this variance. Planning Director James Dickhoff states that this is a unique circumstance, as most of the Mesa Heights West R-6 district is relatively flat. The requested setback option is a reasonable request for allowing the development to occur on the sites. Planning Director James Dickhoff states that the likelihood of needing to widen this road in the future is very low and the closeness of the lots to the street should not be a factor. He shows the commission photographs of the sites and property lines in relation to the ROW. The applicant is proposing single family homes. This request does fit with the existing development in the area. There currently no

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other application on this issue and there are no attachments. Commissioner Maez asks about the height of the back of the structures. The midspan cannot exceed 28ft. Brad Ash states that none of the proposed development does not exceed that. Aaron Wamsley lives right next to lot 25 and is concerned about moving the variance. He states that everyone has a front yard and there is plenty of space. He wants Pagosa to be a pretty place and suggests widening the plots. He isn't sure what will actually be built there. States the developers knew the rules when they plotted the sites. Mr. Wamsley also states that the appearance of the neighborhood will change. Davilyn Valdez states that houses could potentially top out at 28ft, but is concerned with the height. The maximum height allowed is 32ft and Brad Ash states that most of the units will be 22-24ft. Ms. Valdez lives behind these sites and doesn't want to look at a 28ft wall. She wishes to have known about the platting in 2012. This is a very friendly neighborhood, but instantly traffic could change with these houses. She states that traffic on 3rd street is a concern. James Olson agrees with his neighbor Ms. Valdez. Mr. Wamsley is concerned with putting a lot of houses in a small space. With the proposed small driveways, he is concerned about the on-street parking, 28ft walls, and increased traffic. Ms. Valdez and Mr. Wamsley are concerned about what will be built and would like to be part of the review process. She would like a guarantee that the units will be single family homes. Brad Ash states that duplexes are permitted in an R-6 district. The developer decided to mesh with the current feel of the neighborhood and chose single family homes instead of duplexes. There will also be a double parking, 20ft driveway into each home. Mr. Wamsley comments that he respects the developer, but states that the platting is terrible. He also states that the developer platted the sites wrong and the laws shouldn't be bent for him to make his money back. Commissioner Maez states that the developer is within his bounds and they are trying to adhere to the Land Use Development Code. Mr. Wamsley states that it makes a lot more sense to build 8 houses instead of 10. Commissioner Martinez states that the houses will have about 23ft of front yard space. Could you build on Block 4 lot 17 without a variance? Brad Ash states yes, but the homes will appear taller, closer to neighbors, and potentially costlier. Commissioner Parker states that the developer is ding the best they can to make certain things work. He also states that we need to find a common ground. Commissioner Parker states that there is a great opportunity here and he hopes that the neighbors continue to communicate with the developer. Davilyn Valdez asks about how drainage will be addressed. Planning Director James Dickhoff states that drainage is a Town wide issue. He states that the developer has taken several provisions to redirect water. Commissioner Martinez asks about the size of lots behind the sites. Planning Director states that those lots are roughly .5 or .75 acres. Commissioner Giles states that these homes are reasonable and not luxury homes. The developers are meeting a shortage in the community. Brad Ash states that the R-6 district does allow duplexes and the developer also considered consolidating lots. If the developer was to consolidate lots, those homes would be over 3,000sqft. Aaron Wamsley is concerned that these houses will be too expensive because the one house that is already built there is well over 2,600sqft and $400,000. Davilyn Valdez states that she recognizes that they are trying to build affordable homes, but the 1,500sqft home is still an eyesore because of the vertical distance. Commissioner Maez states that it is not our place to say what type of home they can build. Commissioner Parker states that there is still a landscape code that the developer must adhere. Mr. Wamsley asks if there is a back variance. Planning Director states that an R-6 district has a back setback of 10ft. Ms. Valdez states that there is still concern on the overall size of the homes and that working with the geography in this location is difficult. Commissioner Giles moves to approve the front yard setback variance application, allowing a reduction from 25ft to 15ft for lots 27-30 of block 1 and lots 15-19 of block 4 for the Town of Pagosa Springs, Mesa Heights West subdivision. Commissioner Parker seconds. Unanimously approved. Brad Ash states that neighbors can stop by his office fro any further questions. Commissioner Maez states that he would like to have those homes further away from his backyard than the sidewalk.

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VI. Public Comment

A. *Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda:* None Received

VII. Reports and Comments

A. Staff Report_ Projects, Updates and Upcoming Development Applications: Historic Preservation Board meeting February 18, 2016 discussed sandwich board signs and a survey. Sandwich board signs are currently allowed with a permit. Staff is planning to reach out with businesses prior to amending the code to prohibit these signs from the ROW. Lindsey Smith was elected vice-chair and Peggy Bergon was elected as the chair. Planning Director James Dickhoff discusses various tax credit opportunities for businesses to take advantage of. The HPB is currently creating a themed calendar for historic preservation month activities. The Board is currently looking for speakers for presentations during historic preservation month.

B. Planning Commission – Comments, Ideas and Discussion: Two rivers gravel pit has a through town route. The Town wants to ensure deliveries don't come down 8th Street currently. The number of trips through the downtown will be minimized by thoroughly looking at other routes. The upcoming 8Th Street project will need to accommodate these truck weights. The gravel pit will be a great benefit to our community. Commissioner Martinez asks about other pits in Archuleta County. There aren't really any full-scale operations. The Town Council moved the Wal-Mart hearing to an April 14 date at 6:00 PM. Public notification will be mailed at least 15 days prior to this meeting. This is an appeals hearing and the public will not be permitted to comment. This hearing is strictly for the interpretation of the Planning Director's interpretation of the code. If found that the Director's ruling was correct, Wal-Mart can appeal to a district court. The Planning Director has received two plans to modify the lights for some shielding. Waterworks Facility was not awarded and SHF grant in our last attempt. Associate Planner Rachel Novak is currently rewriting the application and will submit for a draft review prior to a final submittal on April 1, 2016. Rumbaugh Creek Bridge is currently undergoing an RFP to get out bidding for contractors. Commissioner Giles asks about the 5th Street Bridge. The Town Council is holding a work session next week at 5:00 PM, March 17th. Planning Director James Dickhoff states that the volume of traffic is an issue at this location and this bridge would a reasonable solution on 5th Street. If a bridge was to be built on 2nd Street instead, it would require a new traffic light and would cause traffic to be let out onto San Juan Street. If a bridge was to be built on 6th Street, we would be dealing with a flood plain issue and the cost would easily triple in scale. There are many future benefits to this bridge for the community. Commissioner Giles asks when the bridge could be built. Planning Director James Dickhoff states that it has to go through due process. The developer has the right to build or not build the bridge. It is more reasonable to work with the developer to ensure this project gets completed. The town has motivation to secure this property for the creation of the bridge because we will need a bridge in the future.

C. Upcoming Town Meetings Schedule

VIII. Adjournment: Commissioner Parker moves to adjourn. Commissioner Martinez seconds. Unanimously approved.

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Commission Chair Ron Maez

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