



Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Agenda
Tuesday, April 26, 2016 at 5:30 p.m.

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

- I. **Call to order / Roll Call:** Commissioner Maez calls the meeting to order at 5:30 PM. Present were Commissioners Maez, Martinez, Adams, and Giles. Also present were Planning Director James Dickhoff, Associate Planner Rachel Novak, and applicants Bob Hart and Art Delione.

- II. **Announcements:** NONE

- III. **Approval of Minutes**
 - A. *Approval of the March 8, 2016 and April 12, 2016 Planning Commission meeting minutes:* Commissioner Martinez moves to approve the March 8th Minutes. Commissioner Giles seconds. Unanimously approved. Commissioner Martinez moves to approve the April 12th minutes. Commissioner Giles 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

- V. **Design Review Board**
 - A. *Continued Public Hearing, Application for Major Design Review for Pagosa 322 Harman Park Drive. (Public Hearing / Quasi-Judicial Matter):* Planning Director James Dickhoff discusses any changes with the application. There is roughly 175 ft difference between the original termination point of the sidewalk location and the new proposed sidewalk location. He also discusses the shared parking agreement. The applicant provides the Commissioners with copies of a shared parking agreement with the church. As the parking is 40% less than what would normally be required for a building of this size, a shared parking arrangement is a necessity. Applicant Bob Hart addresses the parking agreement with the neighboring church. He states that if the church has an event they will be permitted to use the applicant's parking lot as well. The paintball park staff will inspect the parking lots on a daily basis for trash. Commissioner Martinez states that the address is wrong on the agreement. She states that the parking requirements are technically not met as they are 40% below what the Town normally requires. Planning Director James Dickhoff says that based on the modified calculations of this property the Commission can approve this agreement based upon the understanding the calculations are based on alternative situations. Planning Director James Dickhoff would like to see a long term parking agreement of at least 5 years, while the code states 20 years. He also recommends a 2-3-year analysis or monitoring of the parking situation to see if this arrangement is working. Commissioner Maez asks if this falls within the CUP. Planning Director James Dickhoff says no because that has already been approved. He states that they really need to monitor this issue for at least a few seasons to see if the arrangement is working or not. Planning Director James Dickhoff states that there is no pedestrian connectivity within the lot or to the lot. The applicants have discussed using a woodchip path, but this does not meet ADA standards. If the applicant does not agree with this decision, they can appeal this decision to Town Council. Commissioner Maez asks about the ADA requirement for handicap parking spaces for the building.

Planning Director James Dickhoff states that they meet the parking requirements, but do not meet this requirement for connectivity or sidewalks. This means that all of the sidewalks need to be smooth surfaces and not woodchips. Planning Director James Dickhoff states that there may be HOA funds for sidewalk connectivity within the development. Applicant Bob Hart states that the land between the church and their lot is Town property. Commissioner Adams asks about the sidewalk entering the ROW. Planning Director James Dickhoff states that an easement may need to be addressed for the public to legally use this sidewalk. Applicant Bob Hart feels that they should not be responsible for paying for these improvements. Commissioner Giles states that the proposed overflow parking situation may not even need to be utilized. He states that they are dealing with three people for this sidewalk: the applicants, the Town, and the HOA. He asks if there is a way for all three parties to work together. Commissioner Maez asks about the number of handicap spaces. Planning Director James Dickhoff states that there is a requirement of 1 space for every 25 spaces required for the building. He also states that for the sidewalk the main reason for its construction is for connectivity to the site and not just from the parking lot. Planning Director James Dickhoff states that staff could look into the impact fees associated with sidewalks as these are different than trails. Applicant Art Delione states that they are willing to add an additional handicap parking space for a total of 2. Commissioner Martinez moves for a quick break so that the Planning Director James Dickhoff can look into this impact fee for sidewalks. Commissioner Giles seconds. Unanimously approved. Commissioner Martinez moves to continue the meeting. Commissioner Giles seconds. Unanimously approved. Planning Director James Dickhoff states that the impact fees don't include sidewalks. Commissioner Martinez asks about what surface dictates a trail. Planning Director James Dickhoff states that the impact fees directly relate to the Pagosa Trails project. Commissioner Giles states that there they still don't know if the shared parking will be necessary. Planning Director James Dickhoff states that the Town Council may want to participate in this discussion. He also states that the addition of sidewalks does benefit the overall development and not just this single project. Commissioner Maez states that a working relationship will be important. He also asks if the additional handicap space enough to help with this ADA requirement. Planning Director James Dickhoff says no. One additional space is not enough and connectivity is needed. Commissioner Maez suggests a working relationship with the applicants, the Town, and the HOA. Commissioner Adams asks about the recommendations listed in the staff report. Commissioner Martinez states that Planning Director James Dickhoff's main concern is connectivity and safety for children wanting to access the site. Applicant Bob Hart says that the road is currently a dead end and not a traffic issue for safety and states that he does not know how busy it is going to be. He says that once development takes off, the road will most likely be expanded and the sidewalk can be addressed then. Commissioner Giles states that he understands that there is a crucial window for development. Commissioner Adams states that if the development takes off, the parking can be reassessed at that time. Commissioner Martinez asks how this will be assessed. Planning Director James Dickhoff states this will be through a visual inspection. He states that the site needs to be fully accessible for everyone, including to the paintball arena. This is a family environment in which families can participate and watch. Commissioner Adams states that since there is a shared parking agreement that the two handicap spots should be a requirement. Commissioner Maez asks about ADA grants available for funding. Planning Director James Dickhoff says that there are some grants available for this, but not currently for new businesses. Applicant Bob Hart asks Planning Director James Dickhoff how the existing businesses handle ADA requirements. He says that staff can look into this and work with the applicants during the building permit stage. Commissioner Giles asks about other materials available beside pavement. He states that a possibility could be crushed or fine rock. Planning Director James Dickhoff discusses the sidewalks around the parking lot. He says that a small buffer would be beneficial between the cars and the sidewalk so the car overhang does not interfere with people

walking. Applicant Bob Hart says that they are willing to work with the Town on this. Planning Director James Dickhoff states that this would be mainly for the public sidewalks as this is a larger area for concern, but is relevant for both the public sidewalks and private sidewalks. The applicants say that they can move the sidewalk out to not lose any parking. Planning Director James Dickhoff discusses the building designs. The applicants have altered their original roof to break it up more. They are using a gabled roof to break up the facade, false windows to break up the east façade, and 4 smaller shed features on the main roof. The applicants hand out a photograph of an example from Walmart on another alternative to breakup the east facing façade. Planning Director James Dickhoff says that the face needs modulation to be appropriate. Commissioner Martinez asks about the modulation in the Walmart example. The applicants say that they would add just the trellis and not the modulation. Applicant Art Delione says that they are really trying to make the site blend with the environment. Planning Director James Dickhoff asks about the proposed windows. The applicants state that the windows will be a white, glass panel. Commissioner Adams states that this is a poor decision as it will not look good. Applicant Bob Hart says that there will be a dark film over the windows. Commissioner Adams asks if this would count as modulation. Planning Director James Dickhoff says no. Commissioner Adams shows the applicant a possible example for modulation. Planning Director James Dickhoff says that it gives the appearance of modulation. Commissioner Maez asks about possibly continuing the rock feature up to the windows. This may be too expensive. The applicants suggest a different siding color and have this placed into the building two inches. Planning Director James Dickhoff states that this may be an appropriate option, but he will need further clarification in this design. Commissioner Martinez asks if this will be with no windows and the same material as the roof. The applicants say it would be without the windows and possibly the same material as the rest of the siding, but just a different color. Planning Director James Dickhoff discusses the roof line. Staggering the roof line vertically or horizontally is important. The applicants have included a modulation of the roof to break up the roof line. Commissioner Martinez asks if this idea was discussed in the last meeting. Commissioner Maez says that this was an idea presented at the last meeting. Commissioner Martinez asks what these are made of. The applicant states that these would be made of a vinyl composite material. The main reason for this is for as little maintenance as possible. Planning Director James Dickhoff says that because the entire building isn't in this material and it is a composite material, it could be appropriate. Commissioner Adams has a concern for the compatibility in color with the rest of the building. The applicants say that it will match the color of the siding. Commissioner Martinez asks if this puts them over the height requirement. Planning Director James Dickhoff says no. Planning Director James Dickhoff discusses the architectural style and four sided design of the building. The applicant has addressed the issues with the east facing facade. He also recommends that as a contingency the Commissioners require the netting be removed during the winter months. Planning Director James Dickhoff addresses the updates the applicants have provided staff. Commissioner Adams asks if in a major design review the materials need to be identified. Planning Director James Dickhoff states yes, they need to be identified. The floor is open to public comment. Penny Hart appreciates the Commissioners hard work. This development will provide an excellent opportunity for young people to play and work. Planning Director James Dickhoff reads through the motion entirely. Contingencies that apply to the Commission's approval: A) Applicant shall provide a note on the site plans indicating the removal of the arena netting in winter months. B) Provide an offsite parking agreement in conformance with the section 6.9.5.B for a minimum of 12 additional parking spaces. After each of the first three seasons of operation, the applicant shall provide the Town with an assessment of the results of the alternative parking calculation and shall provide additional parking lot area if determined to be needed by the planning director at such time. Compliance with these terms shall be required for renewal of a business license. If parking along the street becomes an issue, the applicant shall pay

for no parking signs approved by the Town for installation by the Town along the roadway. Signage indicating the location of overflow parking shall be provided. C) Direct staff to work with the Harman Park HOA and the applicant for future public sidewalk connectivity. After 12 months, the planning director will provide a determination of the requirement for the applicant to provide such sidewalk connectivity and/or collaboration of funding contributions for such sidewalks. D) Provide ADA access to the arena viewing area. An analysis will be completed at the time of the building permit application. E) Provide note on landscape plans indicating tree washing as needed to ensure preservation of trees indicated to be protected and saved, and provide protection to trees identified to be preserved during construction and in perpetuity. F) Define or indicate the required 10% parking lot landscaping inclusion on revised parking lot and landscape plans. G) Provide a note of materials proposed in the roof drip line for erosion protection. H) Provide storm water runoff protection during construction. I) Provide a 2.5 ft separation between the public sidewalks and the parking lot curbs. J) Provide on the east side façade illustration showing the 2 inch siding modulation details for administrative approval. Commissioner Martinez asks if the applicants could be responsible for the entire sidewalk after 12 months. Planning Director James Dickhoff says yes, it is a possibility, but the really should participate with this. The general rules of subdivisions are paved roads and sidewalks on both sides of the street. Applicant Bob Hart asks if the Town would hold any responsibility. Planning Director James Dickhoff says that it would be up to Town Council. The sidewalk in front of the applicant's property would be 295 ft long that will be an easement to the Town. The applicant would be responsible for snow removal and maintenance. Applicant Bob Hart states that there are several trees lose to the road, but appear to be dying. Staff will work with the applicant with the landscaping requirements. Commissioner Giles moves to approve the Pagosa Fun Zone major design review application submitted by Pagosa Paintball, LLC, finding the application to be in substantial compliance with the Town's adopted Land Use Development Code, contingent on the following items to be included as read by staff on April 26, 2016. Commissioner Martinez seconds. Unanimously approved.

VI. Public Comment

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

VII. Reports and Comments

A. *Staff Report_ Projects, Updates and Upcoming Development Applications:* The Historic Preservation Board has finalized the schedule of events for historic preservation month. It's the 125th anniversary of the Town, 100th anniversary of Wolf Creek Pass, and 65th anniversary of the Archuleta County Fair. The Board is working on railing option for the Rumbaugh Creek Bridge restoration. Staff has reapplied for an SHF grant for the rehabilitation of the Water Treatment Plant. The Town was awarded a SRTS Grant for connectivity to the elementary school which will include a new sidewalk and crosswalk. The design work will be this year and the construction will be next year. Commissioner Martinez asks if some flooding will be helped on N 7th Street. Planning Director James Dickhoff will look into this issue. Planning Director James Dickhoff says that the final east phase of the Town to Lakes Trail will be completed this year. The final easement was acquired. The west phase of the trail is also in the process of acquiring the final easements necessary. It appears this trails segment will also be completed this year as well. The next phase will be the Harman Hill phase. This phase will be a bit more complicated due to the elevation change and \$1.1 million is needed. This provided much needed connectivity. The Town completed the aerial survey last year, which will significantly help in long range planning efforts. These surveys will significantly help with grant submissions. Staff is going forward with the RFP for sidewalk improvements in front of the bakery. Commissioner Adams asks

for a cross walk there. Planning Director James Dickhoff says CDOT is looking into a crossing there that would not have a push button. The Town will move forward with newer sidewalks in the 200 block. Planning Director James Dickhoff attended a CDOT meeting today for the McCabe Creek reconstruction. This will most likely happen early next year. Overall, the project will be three box culverts. Planning Director James Dickhoff discusses the 8th Street project. The bid for this project has been put into the public and these will be presented at the next Town Council meeting on May 19th. Commissioner Adams asks if just the re-milling and repaving could bring in new bidders. Planning Director James Dickhoff says that this would most likely turn away most bidders. The Springs Pedestrian Bridge was not awarded to the Town. Commissioner Adams asks if the bridge could be just repaired instead of replaced. Planning Director James Dickhoff says that it would be better to replace it because it is in a corrosive environment, it is already 20 years old, and there is a bidder to purchase the bridge for their own private use. Commissioner Maez asks if the new bridge will have a protective coating it. Planning Director James Dickhoff says that the core tin is a good material for holding up to the corrosive environment. The Walmart appeals hearing has been rescheduled for May 10th which will cancel the Planning Commission meeting that day. The gravel pit meeting has been deferred until June.

- B. *Planning Commission – Comments, Ideas and Discussion:* Commissioner Adams would like the Commission to look at the Town zoning map. Planning Director James Dickhoff states that the zoning map will be reviewed during the Comprehensive Plan update, which will go out to bid soon. Commissioner Maez would like to have zoning on the next meeting agenda. Planning Director James Dickhoff recommends the Commission bring their maps and review Article 2 and 4. Planning Director James Dickhoff would like to start bringing vacation rentals to the Commission for approval. MU-C and MU-TC are the only areas where vacation rentals are allowed by right. This process would allow for neighbors to comment for the application considerations. There is a large problem with renters turning the property they are currently renting into a vacation rental without the actual owner's knowledge.
- C. *Upcoming Town Meetings Schedule:* May 10th meeting is cancelled for the Walmart Appeal hearing.

VIII. **Adjournment:** Commissioner Adams moves to adjourn. Commissioner Giles seconds. Unanimously approved. The meeting adjourned at 8:19 PM.

Commission Chair, Ron Maez