



**Planning Commission, Board of Adjustments  
& Design Review Board  
Special Scheduled Meeting Minutes  
Tuesday, August 28, 2012 at 5:15 p.m.  
Town Hall, Council Chambers  
551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147**

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- I. **Call to order / Roll Call** – Commission Chair Lattin, Commissioner Hart, Commissioner Maez, Commissioner Parker, Commissioner White
  
- II. **Announcements** NA.
  
- III. **Approval of Minutes**
  - A. Approval of August 21, 2012 Planning Commission Meeting Minutes. – The minutes were approved as read.
  
- IV. **Public Comment**
  - A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda. -
  
- V. **Board of Adjustments**
  
- VI. **Planning Commission**
  - A. Cargo Container LUDC amendment Update - At the July 24, 2012 Planning Commission meeting, the PC approved a recommendation to Town Council to approve amendments to the LUDC regarding cargo containers. At the August 7, 2012 Town Council meeting, the Mayor directed Council Members Cotton and Volger to serve on a committee to further the legitimacy of limiting the use of Cargo Containers as proposed by the Planning Commission. A committee work session was conducted on August 16, 2012 with Town Council Members Cotton and Volger and Commissioners Hart and Parker, Ed Fincher and James Dickhoff present. It was determined to reconvene after further info is gathered from the building department and further consideration of the discussions. Commissioner Hart and Parker said the discussion included eliminating the requirement to screen or paint the container. They both agreed the CUPD process allows for exceptions to the rule if needed, and the process has the most control. Commissioner Parker said the issue was property rights and use of property. Commissioner Hart moved to table this item until the 1<sup>st</sup> regular October meeting and during this time have a committee meeting to discuss the regulation, Commissioner Maez seconded, motion carried with one nay (Commissioner White)
  
  - B. 3-Mile Plan Update. - In 1987, state legislature made changes to annexation law limiting municipal annexations to no more than three miles beyond the current municipal boundary in any given year. Further, municipalities in Colorado are required to prepare and adopt a three-mile plan map prior to annexing property into their territorial boundaries per C.R.S. 31-12-105 et. seq. The three-mile plan is a long-range plan that outlines where municipalities intend to annex property and describes how they will ensure the adequate provision of services within the newly annexed territory and the remainder of the existing municipality. This is a recommendation to readopt this plan each year, the last update was in July 2010, and this item will come before the planning commission in September
  
  - C. Sharing Communication utility trenches proposed. - The Southwest Council of Governments (SWCOG) have been working on a "SW Regional Broadband Project" for over a year now, in an

effort to provide consistent and redundant internet service via fiber optics to connect governmental agencies. During discussions, it was determined that "communications trench sharing" legislation requiring the ability for multiple communication utilities to share one trench, would provide an opportunity to reduce overall infrastructure costs which may help extend the reach of the broadband project as well as private sector communication utility providers. The benefit of having all SW governments adopting the same legislation, is that consistent legislation across our region will ensure better compliance from trenching companies as we are all using the same rules. Currently the legislation recommendation is being reviewed and drafted by the SWCOG, which will be forwarded to all SW local governmental bodies for consideration for adoption.

## **VII. Design Review Board**

A. Wyndham Major Design Review Application - On August 2, 2012, the applicant, Wyndham Vacation Resorts, Inc. submitted a complete application for "Major Design Review", in conjunction with an application for a "Redevelopment Permit" for the demolition of the east portion of their check in building. The proposal includes the demolition of a 4500 sq ft east wing building, and re-building a new 5500 sq ft commercial office building for guest check in services and administration. The applicant has submitted a building permit application for concurrent plan review. Major Design Review process and approval criteria is reviewed in LUDC under section 2.4.6. Staff have analyzed LUDC approval criteria items including a pre-application meeting, the allowed use, building setbacks, building height, site landscaping, parking lot landscaping, site drainage plan, snow storage plan, sanitary sewer, potable water, fire hydrants, vehicular access and circulation, pedestrian access circulation, off street parking, lighting plan and signage. The applicant, Mr. Vernon Leslie, said the exterior color of the new east wing will match the west wing. They would like to begin the demolition and reconstruction at the end of September. Commissioner Hart asked about the water hydrant requirement through PAWSD, the applicant said they have inspected the area and the building will be sprinklers. Mrs. Judy Rushton lives in the Lodge Condos and said there is a bad drainage problem with ice build up, she asked about the drainage and height. Mr. Mike Davis with Davis Engineering said the drainage plan will address the roof shed direction of the new area onto the lot. Commissioner Maez moved to approve the Wyndham Vacation Resorts check-in building project major design application as presented, second Hart, unanimously approved.

B. Wyndham Re-Development Application for demolition of existing 4500 sq ft office building and construction of new 5500 sq ft office building. - The applicant proposes a full redevelopment of this property following the permit approvals and the demolition of the existing 4500 sq ft office building and demolition of the viewing tower. The 4500 sq ft building will be replaced with a new 5500 sq ft building and the viewing tower site will be cleaned up and re-landscaped. With Town Council approval, the applicant will begin the demolition in early September 2012, followed by clean up and construction of the new building. The applicant is prepared to submit a bond or other financial security in an amount as determined by the Planning Commission. The applicant has paid all required fees, and has submitted a building permit application with the required plan set and details for concurrent review. Demolition permits for the viewing tower and east wing building will be issued once the redevelopment permit is approved by Town Council. The planning commissioner will review the demolition permit. A bond security of the approximate value of \$50,000 to demo and rehabilitate the site is estimated by staff. Commissioner White suggested watering down the debris during the demolition to keep the dust down, the applicant said they would consider the request. Commissioner Parker suggested adding landscaping and shade to the concrete pad area, the applicant said the craft fair is a draw the Wyndham has hosted and would like to leave an open area for these fairs. Commissioner Parker suggests the applicant might consider shade trees spaced to

accommodate the fair tents and provide public shade. Commissioner White moved to approve the recommendation that Town Council approve the Wyndham Vacation Resorts redevelopment permit as submitted, Commissioner Parker seconded, unanimously approved.

**VIII. Public Comment**

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda. – Phyllis Dalesky asked about lighting, and Commissioner Hart said 90 degrees is the requirement.

**IX. Reports and Comments**

*A. Town Manager – TBD*

*B. Staff –*

1. Town Council Decisions.

2. Historic Preservation Board Update: The HPB meets the third Tuesday of each month from 3:30 and 5:30pm.

3. Planning Department Report: Town staff has worked on infrastructure for an eventual improved lighted crosswalk at Hwy 160 and 2<sup>nd</sup> Street. Town council confirmed moving forward with the Majestic Dr. paving project. Planning Director Dickhoff said that the state is looking to Pagosa as a leader in the monitoring of geothermal wells due to the cooperation of the well owners. The town recently received the geothermal aquifer assessment report.

4. Upcoming scheduled meetings: Commissioner Hart asked if \$150,000 from the river improvement plan that was not funded, be put into the ball fields at Yamaguchi Park, he would like to have lights installed. Town Manager Mitchem explained that the \$1.5 million for Lewis Street is a multi-year commitment of the road funds. The park is a priority but with the limited budget funds it delays the projects. Commission Chair Lattin said the river walks were a priority, but welcomes suggestions for projects. Commissioner White suggests the commissioners' present ideas for the budget, he would like Main Street to be a priority that will draw the tourist who bring the tax dollars to town. Commissioner Maez said Lewis St was important to the town and he said the return on investment shows in the people who live on the street. A work session to discuss the budget will be held after the September 11<sup>th</sup> meeting.

*C. Planning Commission - TBD*

**X. Adjournment** - Upon motion duly made, the meeting adjourned at 6:42pm.



Kathie Lattin, Planning Commission Chair