



Planning Commission, Board of Adjustments & Design Review Board

Regular Scheduled Meeting Minutes

Tuesday, October 22, 2013 at 5:15 p.m.

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

- I. **Call to order / Roll Call** – Commission Chair Lattin, Commissioner Maez, Commissioner Martinez, Commissioner White, Commissioner Adams
- II. **Announcements**
- III. **Approval of Minutes**
 - A. **Approval of June 25, 2013 Planning Commission Meeting Minutes** – The minutes were approved as read.
 - B. **Approval of August 13, 2013 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 - None
- V. **Board of Adjustments**
- VI. **Planning Commission**
 - A. **Quality Inn Sign Update and Consideration of Electronic Message Center Sign code revisions** - Town Staff met with the Quality Inn Business owner to discuss the operation of the EMC sign. The owner agreed to honor the operation of the sign in the way it was presented to the Board of Adjustments. Currently staff is monitoring the current sign operation to ensure compliance with the Town's sign code. Since a business in Town now has a LED EMC sign, LED EMC signs are gaining in popularity across the nation, staff recommends that the Planning Commission consider some LUDC revisions to address the operation of LED message signs, to ensure they are operated in a manner that meets our sign code regarding LUDC sections 6.12.3.C Prohibited Signs and 6.12.4.4.d, illumination. Addressing the number of message changes and the time phasing in/out of messages should be considered along with other decisions. Commissioner White said he did vote for the original sign, but would like to change the code to ban all electronic signs. Planning Director Dickhoff said the LED signs are not banned from the code, it was the way the sign was used, blinking and flashing is what is prohibited. These types of signs are an option for business owners similar to changes to a business marquee. Mrs. Joan Jessen said the bright lights coming from the EMS signs are a negative impact on the residents. She said the light pollution is spilling onto neighboring properties impacting the night skies. Commissioners Maez and White were appointed to look into the sign code and recommend code changes to allow for EMS signs.
 - B. **Metal Sided Buildings discussion** - The Town has received a number of inquiries over the last few years regarding constructing metal side buildings. These requests have come from property owners wanting to expand their existing metal sided building, from those that wanted to build near existing metal buildings and from those who wanted to construct a metal sided building unassociated with existing metal buildings. There may be some reasonable requests for allowing an expansion of metal sided buildings as a means for consistency with the current structure, or with the incorporation of additional architectural features. Planning Director Dickhoff said most metal sided buildings have no roof eaves, door or window trim, or architectural effects. Commissioner White said he doesn't approve of metal buildings where they aren't already allowed, and would like to consider each application on a case by case basis. Commission Chair Lattin the board should look at possibilities

for additional metal buildings the areas that currently have metal buildings but agrees with Commissioner White to be looked at on a case by case basis. There will be a work session of the commission on November 12th to review the development of the code for metal buildings.

C. Recreational and Medical Marijuana Update - On October 1, 2013, Town Council approved the second reading of Ordinance No. 796, an ordinance of the Town of Pagosa Springs amending Chapter 6 of the Pagosa Springs Municipal Code by the addition thereto of a new Article 5 prohibiting the sale and cultivation of medical marijuana, including medical marijuana centers, optional premises cultivation operations and medical marijuana-infused products manufacturing and a new Article 6 prohibiting the operation of marijuana clubs, marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores; which ordinance will automatically expire on March 1, 2015 unless extended or readopted.

D. Parelli Landscaping Update - The Planning Commission agreed to allow a grace period until September of 2014 to revise the landscaping plan to be obtainable and affordable. Parelli was to mow and clean up the area around the building and his property by August 31st, and work with Town Planner Dickhoff to develop a new landscape plan. Parelli was to park the semi-trailer to the furthest south end of the east parking lot, to diminish the site of the truck from the hwy. Mr. Weiler was to work with the planning department to include a phased approach design to present to the commission October 8th, a plan to begin May 2014 on the north side of the building along the hwy. Mr. Weiler completed mowing the property and moving the semi trailer the following week. On October 9, 2013, Mr. Wieler provided an update for completing the required landscaping. He will present to the Parelli Board at the end of October 2013, a plan to budget funds to complete the remaining delinquent landscaping and installation of their new freestanding sign, during the summer of 2014. Mr. Weiler will provide an update to the planning department after the determination from the Parelli Board meeting.

E. Sawmill Place Developer Improvement Agreement provisions requests - The Town has established a template for Development Improvement Agreements (DIA) to ensure developments complete public and private improvements associated with the project. The DIA sets responsibilities of the development that run with the land as well as time lines for completing projects and the process in case of a default. The typical time for completion is two years for public improvements and one year for private improvements. Mr. Andy Schlaefli of the proposed Sawmill Place development to be located at 1551 Hwy 160, has requested the Town consider providing longer time lines, a five year time of completion for Phase I and three year time of completion for each additional phases. The development incorporates residential dwelling units as well as commercial development. The estimated cost of Phase I is \$1.4 million and total project costs of \$2.6 million, bonds for public and private improvements will be required for each phase. All public improvements will require a warranty bond of 25% during the warranty period. Mr. Bill Downey with the Pagosa Hills subdivision said this development will impact the sub-division's traffic and would like to extend the development as far as possible due to the impacts. The HOA is concerned about the increased traffic and DOT permits. The current access is a right-in right-out from Hwy 160, a crash gate onto Rainbow Dr is emergency access only. Commissioner White moved to approve a recommendation for Town Council to approve the Sawmill Place Development five years for Phase 1 and three years for each remaining three phases, for the time of completion of public and private improvements associated with each phase and requiring an annual engineers estimate to be updated, all to be incorporated into the Development Improvement Agreement, Commissioner Maez seconded, unanimously approved.

VII. Design Review Board

III. Public Comment

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

IX. Reports and Comments

A. Town Manager

B. Planning Department Report - The HPB approved Alteration Certificates for the Riff Raff Brewing Co and the former DeVore Home at 480 Lewis Street, for exterior improvements and partial demolition. Wal-Mart has decided to postpone the groundbreaking of their new store in Pagosa Springs until early spring 2014. The Tractor Supply store has broken ground with expected opening May 2014. The State Trails Grant contract has been received, construction of the riverwalk trail will occur in spring of 2014. Staff will be meeting with the Mountain Crossing representatives to discuss annexation of Mill Creek Road and a traffic circle at Hwy 84 and Mill Creek Rd.

C. Planning Commission - CDOT is having a meeting at town hall on Wednesday 4pm. Commissioner White would like to reduce the speed limit through downtown limits.

D. Upcoming Town Meeting Schedule - The next meeting is scheduled for November 12th.

X. Adjournment - Upon motion duly made, the meeting


Kathie Lattin, Planning Commission Chair