



**Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Minutes**

Tuesday, November 12, 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 called the meeting to order at 5:15 PM. Commissioners Peter Adams, Ron Maez, Heidi Martinez, and Cappy White were present. Also present were Town staff members Planning Department Director James Dickhoff, Permit Tech/Associate Planner Margaret Gallegos, and property owner David Dennis.
- II. **Announcements** None.
- III. **Approval of Minutes**
 - A. October 22, 2013 Planning Commission meeting 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 received.
- V. **Board of Adjustments** None.
- VI. **Planning Commission**
 - A. **Land Use Development Code amendment for Floodplain Management Regulation revisions.** Background: The Town of Pagosa Springs has adopted Floodplain Regulations in compliance with the State of Colorado. On January 14, 2011, the State adopted higher standards for floodplain management, which were incorporated into the States "Rules and Regulations for Regulatory Floodplains in Colorado". The state has given municipalities until January 2014 to adopt the new standards that include provisions for freeboard, critical facilities and floodway surcharge criteria. In order for Pagosa Springs (and other communities) to remain in good standing with the National Flood Insurance Program (NFIP), and eligible for potential grant funding through the Colorado Water Conservation Board (CWCB), the rules must be enacted in a legally enforceable document by January 14, 2014.

Planning Department Director Dickhoff reported that the Town staff does not foresee any issues with adopting the States Revised Floodplain Regulations. The CWCB has grants that the Town would be eligible for and includes possible grants for FEMA flood plain re-mapping, conservation easements, ect.. There is no Fiscal Impact to the Town, except the recordation fees of recording an ordinance amending the Land Use and Development Code (LUDC). Staff provided the Commission with the proposed Ordinance No 799, An Ordinance of the Town of Pagosa Springs Amending portions of Chapter 21 of the Municipal Code, Article 6 of the Land Use Development Code Regarding Revised State of Colorado Flood Plain Regulations.

Motion made by Commissioner Adams, seconded by Commissioner Maez, and unanimously carried to APPROVE a recommendation for Town Council to "Approve Ordinance No. 799 An Ordinance of the Town of Pagosa Springs Amending portions of Chapter 21 of the Municipal Code, Article 6 of the Land Use Development Code Regarding Revised State of Colorado Flood Plain Regulations".

B. Update on Parelli Landscaping Plan for completion. Background: On April 16, 2013, the Planning Commission heard from Mark Weiler of Parelli, regarding the delinquent completion of the required landscaping approved as part of the development approval for the construction of the Parelli offices located at 7 Parelli Way.

The PC agreed to terms set by Mr. Mark Weiler for the completion of the landscaping. In general, the PC agreed to allow a grace period until September of 2014 to revise the landscaping plan to be obtainable and affordable.

Parelli will mow and clean up the area around the building and his property by August 31st, and will work with Town Planner Dickhoff over the next two months to develop a new landscape plan. Parelli will park the semi-trailer to the furthest south end of the east parking lot, this may diminish the site of the truck from the hwy. He will 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 highway.

Planning Department Director Dickhoff had previously reported that Mr. Weiler completed mowing the property and moving the semi trailer by the last week of August 2013. Mr. Mark Wieler provided an additional update on October 29, 2013 regarding the Parelli's Board of Directors decision to complete landscaping in 2014. The Board has decided to budget to complete the entire property landscaping and the installation of their freestanding sign in 2014. Mr. Mark Weiler was reminded of the contingent approval for installing the freestanding sign, based on the completion of the entire landscaping plan, which he confirmed would occur. **The Commission concurred that the Town staff will review revisions to the Parelli Landscaping plan to ensure compliance with the LUDC and Sign approval contingency.**

C. Zone district R-18 minimum density requirements discussion. Background: The Town Planning Department was approached by a property owner that owns 5 acres within the R-18 zoning district. The property has substantial terrain challenges that would render a good portion of the property as undevelopable and the property owner has concerns over the minimum density requirement for the R-18 zone district, which is set at 12.1 minimum dwelling units per acre. Staff's review of the Land Use and Development Code (LUDC) concerning this minimum density requirement has identified possible inconsistencies in the LUDC regarding the minimum density requirement and allowed uses for the R-18 zone district.

Planning Department Director Dickhoff reported that: a) there appears to be numerous inconsistencies in the LUDC concerning the minimum density requirement of 12.1 dwelling units per acre in the R-18 zone district and the allowed residential uses defined in LUDC section 3.2.6. Town Residential High Density (R-18) specifies that "The R-18 district allows the broadest range of residential types, including single-family residences, duplexes, patio homes, and apartments. The district is intended for locations closer to commercial centers and near downtown, and may serve as a transition between commercial centers and lower-density residential neighborhoods. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. Additional private recreational amenities, such as tot lots or garden/courtyards, should be provided in apartment or townhome complexes. The maximum density is 18 units per acre".

b) The Town of Pagosa Springs LUDC Table 5.1.1 lists the minimum density for the R-18 zone district as 12.1 units per acre, the LUDC's only minimum density designation for a zone district. It further states that the minimum lot size is 7500 sq. ft. (a typical 50' x 150' lot) or 3,000 sq.ft. min for Townhomes.

c) LUDC table 4.1.4, table of allowed uses designates single family homes as an allowed use. An acre is 43,560 square feet. A single family lot at 7500 sqft times the minimum 12.1 units minimum per acre equals 90,000 sqft. For Townhomes, 3000 sqft min times 12.1 units equals 36,300 sqft.

d) If the allowed single family use is considered, with a minimum of 7,500 sqft min per lot, only 5.8 dwelling units could be accommodated, well below the minimum 12.1 dwelling units required.

e) If the allowed Townhome use is considered, with a minimum of 3,000 sqft min per lot, 14.5 dwelling units can be accommodated, meeting the minimum 12.1 dwelling units per acre.

f) 12.1 units per acre equates to 3600 sqft per lot.

g) A typical 150' x 50' lot in the R-18 zone district would require two dwelling units on each lot at 12.1 min dwelling units per acre.

h) For a comparison, the Hickory Ridge apartments are located in the R-18 district on 5.36 acres and has 40 dwelling units = 7.5 dwelling units per acre. At the 12.1 min dwelling units per acre, they would have been required to have 64.9 dwelling units. (Approved by previous planning Department staff).

i) Dickhoff suggested that possible LUDC amendments could include: 1) amend the minimum density requirement or remove the min density requirement; 2) allow smaller single family dwelling lots in the R-18 district, for example, allow single family dwelling units on a minimum lot size of 3600 sq ft; 3) re-define LUDC section 3.2.6, regarding the R-18 definition and allowed uses, addressing single family dwelling units, since with the current minimum lot size and density requirements would really not support single family homes; and 4) Other remedies could include the land owner applying for a rezoning from R-18 to R-12 or R-6 and/or decide the minimum density is appropriate and direct the land owner of such decision.

Property owner David Dennis, 108 Gala Place, addressed the Commission about the minimum development for R-18 and R-12 zoning which allows broadest uses, including single-family residences. He noted that the current zoning does not encourage developers to build within Pagosa Springs. For topography challenges, he suggested multi-story construction and that the minimum density standards be reduced.

The Commission discussed the need for high quality affordable homes and considerations for future families and citizens of Pagosa while keeping density requirements. **The Commission deferred action on the R-18 zoning and requested that Dickhoff research other residential areas and return with recommendations for a work session on 12/10/13.**

VII. Design Review Board NA

VIII. Public Comment

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda – none received.

IX. Reports and Comments

A. Town Manager - No report was submitted.

B. Planning Department Report - Planning Department Director Dickhoff provided the Commission with the following reports:

PERMIT TECH/ASSOCIATE PLANNER POSITION FILLED - Margaret Gallegos was hired and welcomed by the Commission to fill the open Permit Tech/ Associate Planner position in the Building and Planning Department. She has already started and brings much related experience to the position.

8TH STREET SIDEWALK - The project is in progress and was scheduled to be completed by October 31, 2013; however, due to the unexpected rainy weather there have been some delays and expect to be finish within the coming weeks.

6TH STREET RIVER WALK EXTENSION PROJECT- The signed contracts were received on September 30, 2013. After discussions with the contractor, Ross Lewis, and Davis Engineering, the project will begin spring 2014 with no more than a 5% projected cost increase to the existing contact which was awarded at \$109,008.80. Dickhoff reported that the GOGO grant was not granted – the Town was number 12 with only the top 10 selected. It appears that the granting priorities are focused on the Front Range due to the flood damages this summer. The Town plans to redefine and resubmit the grant application.

8TH STREET/HWY 160 LIGHTED INTERSECTION - CDOT has been actively working on adjusting the timing of the light at 8th Street. In addition to this they have installed left turn signal from northbound 8th Street turning west bound. We have noticed some timing issues that are still ongoing and are in communication with CDOT on a regular basis to ensure the best case scenario for all of those involved.

MCCABE CREEK UPSTREAM CDOT has responded to the Planning Departments request to repair the McCabe Creek inlet structure on the north side of Hwy 160. CDOT crews were onsite for a couple of weeks reinforcing the underside of HWY 160 with a new inlet structure as well as replacing sidewalk. This work is now complete and pedestrian crossing improvements are in place until the permanent replacement is completed.

McCabe Creek Downstream- Staff and CDOT met regarding the upcoming (2015–2016) McCabe Creek under HWY 160 Culvert Replacement project. The meeting was quite positive. CDOT has decided to use a bridge structure instead of a metal pipe culvert. CDOT has also agree to design the bridge structure to accommodate a future under hwy pedestrian route. In addition CDOT will fund the engineering in regards to their proposed improvements McCabe Creek project related to the hydraulic design. Town staff has also recently

participated in the Preliminary Project Design Meeting for the bridge project, which is currently expected to occur in 2015.

Majestic Drive - The initial Right of Way plan comments have been received from CDOT for preparing to initiate the Uniform Act process for acquiring temporary easements for adjoining property owners. Davis Engineering is working through the comments to obtain final Right of Way plan approval so that we may begin Uniform Act negotiations for the necessary easements.

PIEDRA STREET IMPROVEMENT ENGINEERING RFP- Through a competitive bidding process the town has selected Davis Engineering as the engineer for a Piedra Street reconstruction, between S. 8th street to the old Durango Road at 10th street. It is anticipated that engineering will be complete by December 31, 2013. Construction may occur as early as 2014.

RESERVOIR HILL GAZEBO - At this time, Staff is working with JR Ford and the Bass Family to fully understand the scope and cost of the project as a whole. Staff has engaged Interface Architecture to provide structural Foundation plans for the gazebo. At this time, bids received for the foundation and re-assembling the 40' diameter structure range from \$37,000 - \$39,000. The new location will be on the east side of Reservoir Hill.

GOCO Paths To Parks Concept Paper - Notice was received on October 11, 2013 that the Town was not granted the opportunity to move forward to final grant application. Specific areas noted were lack of shovel readiness and the fact that the town does not already possess easements for the necessary properties.

TRACTOR SUPPLY UPDATE - A recent article in the Pagosa SUN newspaper may have been misleading in regards to the status and processing of the building permit application submitted to the town by the developer building the tractor Supply Company Retail store. Dickhoff provided a summary of the relative dates beginning on 9/24/13 to help clarify what was published in the Pagosa SUN newspaper. A building permit for the entire project was issued on October 23, 2013. It was noted that Staff's summary was also presented to the Town Council with the SUN staff in the audience. Staff was accommodated for the excellent work they perform and the good working relationship with the citizens, builders and business owners.

C. Planning Commission - Additional discussion was opened for non-agenda items - none suggested.

D. Upcoming Town Meeting Schedule are as follows:

Next Regular Scheduled PC Meeting:

- Tuesday, November 26, 2013 at 5:15pm in Town Hall.
- Tuesday, December 10, 2013 at 5:15pm in Town Hall.

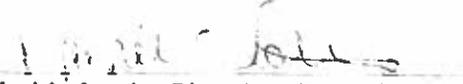
Next Regular Scheduled Historic Preservation Board meeting:

- Wednesday, November 13, 2013 at 5:15pm in Town Hall.

Next Regular Town Council Meetings:

- Thursday, November 21, 2013 at noon in Town Hall.
- Tuesday, December 3, 2013 at 5pm in Town Hall.

X. **Adjournment**- Upon motion duly made, the meeting adjourned at 6:43 PM.


Kathie Lattin, Planning Commission Chair