



Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Minutes
December 10, 2013

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

- I. **Call to Order / Roll Call** - Commission Chair Kathie Lattin called the meeting to order at 5:15 PM. Commissioners Peter Adams, Ron Maez, Heidi Martinez, and Cappy White were present. Commissioner Cameron Parker arrived at 5:25 PM. Also present were Town staff members Planning Director James Dickhoff, Permit Tech/Associate Planner Margaret Gallegos.
- II. **Announcements** None.
- III. **Approval of Minutes**
A. November 12, 2013 Planning Commission meeting minutes were approved as presented.
- IV. **Public Comment**
A. Opportunity for the public to provide comments and to address the Commission on items not on the agenda – none received.
- V. **Board of Adjustments** None.
- VI. **Planning Commission**
A. **Mountain Crossing Preliminary Plan Approval Extension Request:** The Planning Department received an application for Preliminary Major Subdivision Plan on October 5, 2012 for the applicant, Mountain Crossing, LLC, Alice Platt represented by Keith Mendenhall from Summit AE. The application consists of 24 commercial lots. The subject properties make up approximately 75 acres located at the southeast corner of Hwy 84 and Hwy 160 as follows: Mountain Crossing Subdivision Tract 1-C (38 acres) zoned MU-TC (Mixed Use Town Center); Mountain Crossing Minor Subdivision Tract 1-B1 (36 acres) zoned MU-C (Mixed Use Corridor); Strohecker Minor Subdivision Lot IIB (.33 acre) with future zoning MU-C.

The Town Land Use Development Code (LUDC) Section 2.4.3.C.4 -Preliminary Plat/Plan sets forth the process for an application for Major Subdivision Preliminary Plat. The purpose of a Preliminary Plat/Plan is to provide the Town with an overall master plan for the proposed development. Pursuant to a recommendation from the Commission, the Town Council approved the Mountain Crossing Preliminary Plan application on December 4, 2012 with the following contingencies:

- 1) Complete annexation and zoning process for Strohecker Minor Subdivision Lot IIB, and combine this lot into the final MC plat.
- 2) Provide a Geotechnical Report, wet stamped and signed by a Colorado licensed engineer.
- 3) Provide Drainage Report, wet stamped and signed by a Colorado licensed engineer.
- 4) Provide proof of CDOT access permit approval.
- 5) Provide evidence that any required USACE permits have been submitted and have been approved or that permits are not required.
- 6) Provide 20 foot wide utility easements as requested by and negotiated with utility providers.

- 7) Provide Trail Dedication Language and all other corrections to the Preliminary Plat as directed by the Planning Director to be incorporated on the Final Plat.
- 8) Town shall hire a Third Party engineering firm for engineering plan review to be reimbursed by the applicant and the applicant shall incorporate engineering comments into the final plat/plan such.
- 9) Mountain Crossing Codes, Covenants and Restrictions (CC&R's) shall be recorded and provided to Town.
- 10) Proceed with annexation petition for the first 1800 lineal feet of Mill Creek Road and Provide engineering plans for required ROW improvements.
- 11) Submit proposed signage plan permit for review.
- 12) Other conditions as determined by the PC

Keith Mandenhall submitted a written request for an additional year extension until December 4, 2014. Mr. Mendenhall stated that they have continued to work on various aspects of the project since the original approval on December 4, 2012. They have secured the required Colorado Department of Transportation (CDOT) access permit; completed on-site ground water monitoring of the Mountain Crossing property per USACE permit requirements; and completed required Pagosa Skyrocket flower surveys on the property and within the Mill Creek Road & Hwy 84 Right-of-Ways (ROW). Currently, they are working on roadway construction documentation within the ROW to secure approved bonding as required by the Town and CDOT. Also, they had discussions with Town regarding the annexations of a portion of Mill Creek Road and the Strohecker Minor Subdivision Lot IIB. In closing, he noted that much additional work continues behind the scenes on this project.

Planning Director Dickhoff reported that the Town staff has met with the Developer's representative a number of times over the course of the last year, to discuss specifics for preparing the Final Plan Application. The applicant has demonstrated that they intend to move forward with developing a Final Plan application. There is no fiscal impact to the Town, except the recordation fees of recording an ordinance amending the Land Use Development Code (LUDC).

Motion made by Commissioner Maez, seconded by Commissioner White, unanimously carried to APPROVE and recommend to Town Council that it approve a one year extension for the previously approved Mountain Crossings Development Preliminary Plan, including all contingencies approved by Town Council on December 4, 2012.

B. Sawmill Place Preliminary Plan Approval Extension Request: The applicant, Andrew Schlaefli of the Sawmill Place Development, has requested a one year extension for the Preliminary Planned Unit Development (PUD) Plan to finish up our entitlements. Mr. Schaepli noted that they are waiting CDOT to respond to their proposal for the Highway 160 accel/decel lane design concept that was submitted to them following the Town Council's action regarding the timing and reimbursement request for our DIA. The owner initiated preparation of the final wetlands mitigation plan in the spring. Also he understand that the new water modeling needs to be completed and have asked Davis Engineering to follow-up on those requirements after the first of the year and will prepare and submit for review an analysis for both the waterline (offsite) and accel/decel lane reimbursements to be included as a part of our DIA. He plans to complete the final engineering and approvals which includes signing the DIA by the 3rd quarter of next year (2014). Mr. Schlaefli anticipates that this should be the last extension request.

Planning Director Dickhoff reported that the town approved the plan on November 5, 2008 and has approved four one-year extension requests on January 21, 2010, on January 4, 2011, on January 19, 2012, and December 20, 2012, extending the Sawmill Place Preliminary PUD Plan until January 19, 2014. Dickhoff further reported that the Town Council recently approved extending Development Improvement Agreement (DIA) timelines for completion of public and private improvements to 5 years for phase one and 3 years for additional phase improvements. The developer proposes 4 phases total. The DIA will be drafted by Town staff at the time the Final Plan Application is submitted. The Town Staff met with the Developer's representative a number of times over the course of the last year, to discuss specifics for preparing the Final Plan Application which will require proof of CDOT access permit and US Army Corps of Engineers permit for Wetland modifications. There is no fiscal impact to the Town and the Land Use Development Code (LUDC) section 2.4.3.C.b.(i) requires Town Council approval to extend approval of the Preliminary PUD Plan.

The Commission had questions and comments about the DIA five and three-year time lines, the number of extension and/or incentives to complete the project, possible extension fees, and access to the property from Highway 160 and frontage road. Planning Director Dickhoff explained that that the time frames begin when the DIA is executed and recorded. Consensus of the Commission was that a reapplication process would create a financial hardship and detour progress. At this time, the contractor is showing good faith with moving forward with the project and complying with the Town's contingencies. It was discussed that the Commission has the option to recommend to the Town Council permit extension fees.

The Commission discussed the limited turn-access from Highway 160 and completion of the frontage road. Dickhoff noted that an easement was granted by the neighboring property – Lot 2 at 83 Pike Drive (Boggy Golf) to access the property from a future frontage road. The Commission recalled prior discussion(s) about the developers' obligation to install the frontage road and connection to Pike Drive. Options may include the requirement that the road be installed during the second phase of the project and/or that the Town implement a cost recovery process for payback after the road is developed through a capital improvement project.

Motion made by Commissioner Maez, seconded by Commissioner Parker, and unanimously carried to postpone action on the permit extension request for further PC discussion and Staff's research into the Highway 160 access and frontage road issues.

VII. Design Review Board NA

VIII. Public Comment

A. Opportunity for the public to provide comments and to address the 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 Director Dickhoff provided the Commission with the following verbal report:

Historic Preservation Board (HPB) Update - The next scheduled HPB meeting is on Wednesday, January 8, 2014 at 5:15pm in Town Hall. The Town Council (TC) will appoint the 2014 President and Vice-President and it is anticipated that the new applicant, Brad Ash will be appointed to the Board. Wendy Sutton resigned and will be leaving the area. Her service was greatly appreciated, specifically, her work with designating Chimney Rock as a historic landmark.

McCabe Creek Bridge Update- The Town was not awarded a GOCO grant for the purchase of the downstream property. Town staff will be meeting with CDOT on Wednesday December 11 to discuss the McCabe Creek Bridge project and other potential options for acquiring the downstream property, as well as other Town related issues. Town staff has begun quarterly meetings with the CDOT Region 5 Director and lead staff members. Dickhoff noted that they have been able to address concerns and work to find common ground on issues affecting our community. Thus far, the quarterly meetings have been very beneficial.

6th Street Pedestrian Bridge Grant - The 6th Street Pedestrian Bridge GOCO grant was not awarded. The town's application was 13 out of over 40 applications, and was 2 applications away from being funded. Town staff will be recommending to TC to reapply in April 2014 for the grant.

8th Street Sidewalk Project - The South 8th Street sidewalk extension project, next to the Library, has been completed except for the remaining dry creek feature and live landscaping, which will be completed in the spring.

Tractor Supply Construction - Tractor Supply is nearing the completion of the exterior shell of the building. The Steel superstructure package is anticipated to arrive within a couple of months, at which time construction will reconvene.

Recreation Center - On December 12, 2013, the Town Council will consider a request to allow a ballot measure to be added to the April election, regarding a possible 1 cent sales tax increase within Town Boundaries, which would be used to construct and operate a Town owned Recreation Center.

C. Planning Commission – Discussion was opened for non-agenda items – none suggested.

D. Upcoming Town Meeting Schedule are as follows:

Next Regular Scheduled Planning Commission Meeting:

- ~ No meeting scheduled on December 24, 2013.
- ~ Tuesday, January 14, 2014 @ 5:15pm in Town Hall.

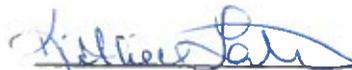
Next Regular Scheduled Historic Preservation Board Meeting:

- ~ Wednesday, January 8, 2014 at 5:15pm in Town Hall.

Next Regular Town Council Meetings:

- ~ Thursday, December 19, 2013 at noon in Town Hall.
- ~ Tuesday, January 7, 2014 at 5pm in Town Hall.

X. Adjournment- Upon motion duly made, the meeting adjourned at 6:20 PM.



Kathie Lattin, Planning Commission Chair