



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

**July 29, 2014**

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

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- I. **Call to Order / Roll Call:** Commission Vice-Chair Ron Maez called the meeting to order at 5:30 PM. Commissioners Peter Adams, Heidi Martinez and Natalie Woodruff were present. Commissioners Kathie Lattin and Cameron Parker were absent. Also present were Interim Town Manager Greg Schulte, Planning Director James Dickhoff, Associate Planner/Certified Permit Technician Margaret Gallegos and property/community members Ed Fincher.
- II. **Announcements:** Town Council appointed Judy James as a regular member to the Historic Preservation Board for a four-year term.
- III. **Approval of Minutes:** April 29, 2014 minutes were continued until the next meeting. July 8, 2014 Planning Commission meeting minutes were approved as presented.
- IV. **Public Comment:** 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. Application for Vacation of portion or 6<sup>th</sup>/7<sup>th</sup> Alley between Durango Street and Navajo Street:** \*Commission Adams recused himself from the discussion and decision on his application – he left the meeting room at 5:35 pm and returned at 5:55 pm.

The application was previously tabled during the Commissioner's April 29, 2014 meeting in order to reassess the original and modified request, complete additional cost research, and contact the adjacent/affected owners to gauge interest in shared cost to move forward with vacating the original request – east end of Navajo Street and 6<sup>th</sup>/7<sup>th</sup> Street Alleyway between Piedra and Navajo Streets.

Planning Department Director Dickhoff noted that on March 27, 2014, the Town received a complete application. The applicant, Mr. Peter Adams is requesting the vacation of the portions 6th/7th Alley Public Right-of-Way between Navajo Street and Piedra Street, Navajo Street Public Right-of-Way between S. 7th Street and S. 6th Street. All adjoining properties are zoned R-12 (Town Residential Medium Density). The adjoining Property owners include: Clint Alley, 419 S. 6th Street; Baltazar and Maria Gallegos, 418 S. 7th Street; Danielle and Jeffery Posey, 326 S. 7th Street; Leroy Lucero, 302 S. 7th Street; and Tim and Stephanie Brown, 310 S. 7th Street.

At the April 29, 2014 meeting, the applicant had revised the scope of the vacation request after the Commissioner's packets were forwarded to the Planning Commissions and after the public notification was posted, mailed and published. The Planning Commission decided the applicant should re-apply with the new scope of ROW vacation and have staff schedule a public hearing to consider the new revised request. Also during the April 29, 2014 meeting, the Planning Commission discussed the vacation of the remaining portion of the 6<sup>th</sup>/7<sup>th</sup> Alley and Navajo



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Street between 6<sup>th</sup> Street and 7<sup>th</sup> Street, in addition to the revised requested vacation request from the applicant. Staff conducted further research into the vacation status Piedra Street between 6<sup>th</sup> Street and 7<sup>th</sup> Street, and found two ordinances that vacated the north half only. No evidence for the vacation of the south half (35') was discovered. Legal review is in process to review the rationale for vacation of only ½ or 35' of Piedra Street. Staff will provide the information to the Commission as soon as it becomes available. Staff recommends and the PC consensus was that should it decide to consider the vacation of the entire alley, it will be done at a later date and the matter would need to be approved by the Town Council along with publicly noticed as a public hearing.

On July 1, 2014, the applicant submitted a revised "ROW Vacation Application", requesting the Vacation of the 6<sup>th</sup>/7<sup>th</sup> Alley between Navajo Street east to the NE corner of Lot 8x. The applicant is proposing developing his property, and would like the vacation of the Alley so as to fully utilize the two properties and take advantage of the view shed from the top of the hill. The applicant has also stated he will work with the Town to formalize the 6<sup>th</sup> street ROW, which currently goes through his property. The Town has a Prescriptive Right (Easement) for 6<sup>th</sup> Street alignment; however, this is very limiting on what can occur along 6<sup>th</sup> Street roadway. Formalizing the 6<sup>th</sup> Street ROW will ensure the Town can utilize the ROW for all utilities, road, future sidewalk/trails, ect.

Planning Department Director Dickhoff reviewed and commented on the Land Use Development Code (LUDC) sections and outlined in his written report that the application meets the requirements and the approval criteria for considering an "Application for Vacation of ROW". The Commissioners received the letter of request from the applicant and confirmation from Jeff Posey that he supports the vacation along his property. The vacation location map with adjacent lot ownership was reviewed by the commission. After discussing the vacation request as it relates to the LUDC approval criteria, the following determination was made:

**Motion by Commission Woodruff, seconded by Commissioner Martinez and unanimously carried to approve a recommendation to Town Council to APPROVE the vacation of the 6th/7th Alley Public Right-of-Way between Navajo Street and the NE corner of Lot 8X with the additional recommendation that Town Council move forward with the property owner to obtain a formalized an agreement or exchange of property for the 6<sup>th</sup> Street road right-of-way from the cliff area down to 6<sup>th</sup> Street.**

**B. Discussion regarding possible Land Use and Development Code (LUDC) amendments:**

The Planning Commission has previously discussed a number of potential revisions to the Land Use Development Code (LUDC) over the last couple of years including:

- 1) Limiting the use of cargo containers.
- 2) Looking at the revising minimum density requirements in the R-18 zoning district.
- 3) Consider reducing minimum lot sizes in residential zone districts.
- 4) Metal sided buildings which are currently prohibited in commercially zoned districts.
- 5) LED Variable Message Signs.



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- 6) Landscape planting plans: The Planning Commission and staff has expressed concerns with the landscape planting plans submitted for approval along with the preliminary plans; however, when the project is completed the landscape is not installed, extensions are requested, revisions are requested and/or never completed. Guidelines are needed.
- 7) Other identified revisions: a) develop a development application extension process; and b) Highway 160- Main Street, elementary school, and 8<sup>th</sup> Street traffic and pedestrian issues.

**The Commission requested that Staff research and compiles a synopsis for each topic for the next meeting for discussion.**

**VII. Design Review Board: None**

**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 – None.**

**B. Planning Department Report –** Planning Director Dickhoff provided the following reports to the Commission:

**HISTORIC PRESERVATION BOARD (HPB) UPDATE:** At the July 09 11, 2014 HPB meeting, the HPB took the following actions: 1) recommended to Town Council to approve staff moving forward with an Request for Proposal (RFP) for statues and signage in the Mary Fisher Park – recognition project proposed by Norm Vance. (TC approved on July 17, 2014); 2) discussed the San Juan Historical Museum, former Town Water Treatment Plant, and the disrepair and safety concerns with the reservoir walls and the old stone bridge north of the building. The HPB will be looking into costs estimates for proposing pursuing grants for the needed repairs; and 3) approved an Alteration Certificate for 480 Lewis Street to install privacy fence.

**6<sup>TH</sup> STREET RIVER WALK EXTENSION PROJECT:** Benches are installed and the Historic Preservation Board and Parks and Recreation Committee will be working on interpretive signage which may occur in 2015.

**8TH - 10 STREET SIDEWALK AND TRAIL PROJECT:** Waiting on final Uniform Act Easement acquisitions before we are approved to advertise for bids. There have been some delays experienced due to CDOT Uni-Act documentation revisions. It is hoped we can still construct this fall.

**6TH STREET PEDESTRIAN BRIDGE GRANT:** Staff has initiated the bridge order. Davis Engineering is working on finalizing the bridge ramp and abutment plans. Advertisement for bids will most likely occur in early August. It is anticipated the Bridge will be set in place before the end of 2014 with some landscaping to be completed in 2015.



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MAJESTIC DRIVE CMAQ PAVING PROJECT: 1200 lineal feet of Majestic drive between growing spaces and Square Top Circle will be paved with CMAQ funds this summer. Advertisement for construction bids is expected within the next month. Project completion still anticipated by the end of 2014 construction season.

WALMART: Excavation work has been ongoing. Building foundation construction is expected to begin within the next month.

SOUTH 8TH STREET PAVING AND LANE CONFIGURATION: Staff received new information on Monday June 30<sup>th</sup>, regarding a preliminary analysis from Davis Engineering and the results of the geotechnical soil samples taken along S. 8<sup>th</sup> Street, which found the gravel base to be only 5"-8" deep, insufficient for the traffic volumes on the street. Davis Engineering expressed concern over the proposed repaving project over the limited amount of base gravel, and the typical expected life span of asphalt projects being 20 + years. A repaving project may not result in a typical life span for the asphalt surface. Town Council has been apprised of this condition and will be directing staff on how to proceed at a future meeting. There have been a number of concerns about adding a bike lane to 8<sup>th</sup> Street. Lane configuration will be further discussed as the scope of the project is discussed and determined by Town Council.

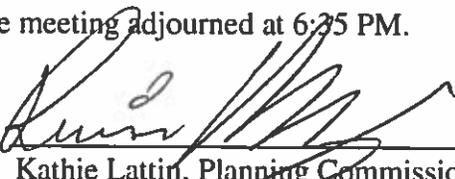
PARELLI LANDSCAPE PLAN: A landscape plan was submitted and approved to complete the landscape in one phase and the owner has committed to complete the project by the end of the summer.

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

**D. Upcoming Town Meeting Schedule** is as follows:

- Regular Scheduled PC Meeting:
  - Tuesday, August 12, 2014 @ 5:30pm in the Town Hall.
  - Tuesday, August 26, 2014 @ 5:30pm in the Town Hall.
- Regular Scheduled Historic Preservation Board meetings:
  - Wednesday August 13, 2014 at 5:15pm in Town Hall.
  - Wednesday September 10, 2014 at 5:15pm in Town Hall.
- Regular Town Council Meetings:
  - Tuesday, August 5, 2014 at 5pm in Town Hall.
  - Thursday, August 21, 2014 at noon in Town Hall.
- Regular Parks and Recreation Meeting:
  - Wednesday, August 13, 2014 at 5:30 pm in Town Hall.

**X. Adjournment**- Upon motion duly made, the meeting adjourned at 6:25 PM.

  
Kathie Lattin, Planning Commission Chair