



Town of Pagosa Springs Historic Preservation Board  
Regular Meeting Minutes  
Wednesday, March 11, 2015  
Town Hall Conference Room Located at 551 Hot Springs Boulevard  
Pagosa Springs, Colorado 81147

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- I. **Call to Order / Roll Call:** Chair Brad Ash called the meeting to order at 5:20 pm. Present were Board Members Brad Ash, Peggy Bergon, Chrissy Karas, Judy James, Andre Redstone, Planning Director James Dickhoff, Associate Planner Margaret Gallegos and The Lost Cajun franchise owner Raymond Griffin.
  
- II. **Announcements:** None
  
- III. **Approval of Minutes:**  
Motion made by Member Bergon, seconded by Member James and unanimously carried to approve the February 11, 2015 and February 17, 2015 HPB Meeting Minutes as presented.
  
- IV. **Public Comment:** None
  
- V. **Sign Review:**
  - A. **Resubmittal - Sign Proposal at 438 Pagosa Street, The Lost Cajun Restaurant:** Chair Ash recused himself from The Lost Cajun discussions due to potential professional conflict of interest and left the room. Vice Chair Bergon continued to Chair the meeting. The Town Planning Department received a re-submitted Sign Permit Application for “The Lost Cajun” Restaurant, which is located at 438 Pagosa Street in the Historic District. The Lost Cajun is a franchise chain and the proposed sign is consistent with the franchises signs and name recognition marketing. The local applicant and business owner, Michelle Juneau, is proposing to install a new wall mounted sign to the building on the front elevation – above the awning/entry door and between the two windows above the awning and a second sign hanging over the front door under the awning.

The subject property has 50 lineal feet of street frontage, which equates to 50 sq. ft. of total allowable signage for the entire property. The proposal is for one sign – 97.82” wide by 36.5” high, which equals 25 square feet; and a second sign hanging under the awning 66” x 8” that equals 4 sq., ft. Other existing signage is as follows: 1) Antique Store has 15 sq. ft. which includes one sign on the building and one hanging sign; 2) Montoya’s name plaque is installed across the upper portion of the front elevation of the building is approximately 5’ x 32’ which equals 160 sq. ft. The total proposal for all permanent signs equals 204 sq. ft. Without counting the Montoya’s raised building name plaque, the total signage equals 44 sq. ft. The Sign is not illuminated

Specifications for the signs are as follows:

- “The” – letters are ½” acrylic painted black; flush mounted to building facade using studs.
- “Lost Cajun” – sign background and registered trademark ® are ½” acrylic painted black and outlined area painted; flush mounted to building facade using studs.
- “LOST Cajun” – front letters are ¼” red PMS 7621C to match Valspar Fabulous Red 1011-2; flush mounted using VHB and silicone to ½” outline background piece.



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The sign colors were changed to black, red, blue and white. The previous proposal consisted of blue, red, gray, yellow, green, white and black which included the *The Lost Cajun's* franchised logo – it has been removed from the Sign application.

Planning Director Dickhoff noted that the following Sign information is based on the Design Criteria set forth in Chapter 8 of the "HBDLLDG". The proposed sign location is on the building façade does not have an official sign band for placing the proposed sign. The proposed wall sign location is above the existing shed roof over the sidewalk, equally spaced between two windows, generally in the same position as the neighboring Antique store sign on the same building. The proposed wall sign placement/location would not conceal any architectural features on the façade. The sign colors include white and black colorations, there are generally 4 total colors proposed, with the main portion of the sign being 3 colors. Design Guidelines suggest limiting the number of colors on a sign, in general, to no more than three colors. The HPB could consider, for sign content, the Design Guidelines support using symbols on and for signs.

The HPB considered and discussed the application, materials and colors as presented by the applicant. There was discussion with Mr. Griffin about the logo, number of colors presented and whether the colors were an actual depiction of the sign colors. There was also discussion about the lighting options. The Board concluded that it would defer action until the next meeting to allow for additional research, onsite review, and receipt of actual color samples and lighting proposal.

**VI. Landmark Designations: None**

**VII. Alteration Certificate Review: None**

**VIII. Tax Credit Review: None**

**IX. Project Review:**

**A. Review and Update of Historic Preservation Board Projects:**

1) **Historic Preservation Month Theme, Activities and Ideas:** The 2015 State theme is "History in the Making: Celebrating Youth in Preservation". The HPB decided to utilize the same theme title, defining the theme for the poster contest as "What do youth see in Pagosa Springs that is worth preserving?"

- Brad Ash checked in with the school about coordinating a youth poster contest.
- Judy James is working with Twila Brown regarding a historic walking tour, on a Sunday in May.
- Staff filled in dates for event and museum openings and provided a revised copy to the Board.



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- Staff contacted Patrick Eidman from History Colorado for a public presentation regarding the benefits of Historic Preservation, preferably scheduled towards the end of May 2015.
  - Peggy also brought up the idea of a contest to name the old Sun newspaper photo.
  - The HPB also discussed sending articles to the Sun beginning in early April, to help promote Historic Preservation Month and historic preservation in general.
- 2) **Public Presentation Forum:** Staff has begun coordinating the event for the last part of May. We are awaiting a response from History Colorado and State tourism office for staff and date availability.
- 3) **Alteration Certificate Recognition Awards:** It has been discussed that presentation of the Alteration Certificate Awards would be coordinated in May. Brad Ash offered to contact Jason Cox to coordinate the presentations at Riff Raff Brewery, during a meet and greet. It was discussed framing an old historic photo of the building with a recognition plaque would be a nice award. The award layout was provided to the Board. Printing and framing will take place once Margaret has received a photo for the Devore House.
- 4) **Water Treatment Plant Restoration Project:** Margaret is in the midst of creating the construction Grant application. Several preservation architects and engineers were contacted for proposals. The Town hired John D. Feinberg, the Collaborative, Inc. on Friday, March 6, 2015 to conduct the restoration analysis and planning needed for the construction grant application, for the April 1<sup>st</sup> 2015 deadline. Staff has sent a letter to the San Juan Historical Museum Board, notifying them of the Town's intent to restore the historic reservoir walls and bridge on the property which they lease from the Town. Letters of Support are being solicited from various public and private individuals.
- 5) **Mary Fisher Statue and Interpretive Project:** No recent work has been conducted on this project. At the January 14 meeting, The HPB suggested we contact Lisa Scott at the Hospital for ideas how to fund raise for this project, as we have identified that no grant funding is available for the statute portion of this project. Grant funding is available for the interpretive signage associated with the project.

**X. Decision Items:**

- A. **Discussion and Possible Decision on Allowable Exterior Paint Colors within the Historic District and for Locally Listed Landmarks:** The HPB has discussed the possibility of amending the current allowable exterior colors for properties within the Historic District and for locally listed landmarks. The HPB has briefly discussed this matter numerous times over the last 2 years. Staff has conducted some research into what other progressive Historic Preservation boards and commissions have adopted for allowable colors.



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The existing adopted Town's Historic Business District and Local Landmark Design Guidelines, Appendix D, specifies two Sherwin Williams Color Pallets, or similar colors, for the recommended exterior colors in the Historic District and on Locally Listed Landmarks. Many other communities generally support one muted color as the background color and up to two brighter colors for accents, prohibiting fluorescent and neon colors. **Consensus was that the following municipalities would be contacted: Member James - Monte Vista; Member Bergon - Bayfield; Member Redstone - Del Norte; and Staff - Montrose. The Board deferred action until the next meeting to allow time for Board members to research the subject, contact municipalities, and be prepared to discuss and submit the respective reports.**

**B. Discussion and Possible Recommendation for Town Council Regarding Marijuana Establishments within the Historic District.** The Town Council has recently expressed a majority interest in developing regulations to allow Marijuana (Retail and Medical) Establishments to operate within the Town's boundary. The current prohibition ends on June 1<sup>st</sup>, 2015, so there is motivation to complete the development and approval of such regulations before then. The TC has also expressed interest in consistency with Archuleta County's regulations. Part of the discussion regards the allowable and prohibited areas in Town where such establishments would be allowed to operate or prohibited from operating. State statute allows municipalities to develop their own allowable areas for such businesses as well as the ability to allow up to a certain # of total establishments within the Town.

Currently, state regulations, as well as many other communities in Colorado (including Archuleta County), have adopted the following distance restrictions from other uses: Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, there is a 250 foot buffer required from residentially zoned areas, weather inside the Town in adjacent County boundaries. Bob Cole's office has provided Town Council a memo reviewing some of the decisions Town Council will be considering regarding Marijuana Establishments, copies provide to the Board.

The HPB does not have authority to decide what types of businesses are allowed to locate in the Historic District, however, the Town Council would like the HPB's thought's on the matter.

The State defines the following 7 different types of Marijuana Establishments:

1. Medical marijuana center - a business that sells medical marijuana to registered patients or primary caregivers but is not a primary caregiver.
2. Medical marijuana-infused products manufacturer – a business that manufacturers a product containing medical marijuana for use or consumption by a patient. Examples of products include edibles, tinctures and ointments.
3. Optional premises cultivation operation – a business associated with a medical



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marijuana center or a medical marijuana-infused products manufacturer for a location in which the licensee is authorized to grow and cultivate medical marijuana.

4. Retail marijuana stores - a business that sells retail marijuana to adults over 21 years of age.
5. Retail marijuana products manufacturers - a business that manufactures a product containing retail marijuana for use or consumption by an adult over 21 years of age.
6. Retail marijuana cultivation facilities - a business that grows and cultivates retail marijuana. Unlike medical marijuana optional premises cultivators, a retail marijuana cultivation facility does not have to be directly linked to a retail store or products manufacturer.
7. Retail marijuana testing facilities - a business that operates a lab to test the quality and components of retail marijuana and retail marijuana products.

Archuleta County allows all types of establishments except for Retail marijuana testing facilities and Retail marijuana products manufacturers, which are not allowed due to the nature of some of the hazardous products used in the production of such products. In the case of #3, Optional Premise Growing Operations and retail marijuana Cultivation Facilities (marijuana growing operations), the county only allows these operations if: The growing operation is in connection with the operation of a Retail marijuana center, and, where the growing center and the Retail marijuana center have identical ownership, and, where the operations are on the same or adjacent parcels for property tax purposes.

Archuleta County allows marijuana establishments in commercial and industrial zoning districts only, consistent with many other communities in Colorado. Town Staff is prepared a map showing the 1000 foot buffers around Schools, licensed Day Care Facilities, Churches and dedicated Public Parks and the 250 foot buffer from residential zoned areas. Please note, due to Town wide re-zoning conducted in 2009, there are some residential homes outside of actual residentially zoned areas. Staff will attempt to show these locations on the subject map. This Map was available and displayed at the meeting.

Town residential zoned districts include: Rural Transitional (R-T), Agricultural/Residential (R-A), Residential Low Density (R-6), Residential Medium Density (R-12), Residential High Density (R-18) and Mixed Use Residential (MU-R).

Additionally, Multi-Family residential dwellings (apartments, townhomes, condos) are allowed in the Mixed Use Town Center (MU-TC) and Mixed Use Corridor (MU-C) districts.

Archuleta County has regulations that require the growing of at least 70% of the marijuana sold at a retail or medical sales establishments, to be grown on site. This ensures for consolidated businesses and ensures that the majority of the product is grown locally, employing locals. If a grow operation is attached to a sales establishment, then the business is more commercial and industrial in nature. Archuleta County has not allowed Retail marijuana testing facilities or Retail



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marijuana products manufacturers, which are more light industrial to industrial in nature, in staff's view.

The Town's LUDC allows Adult Entertainment business in Commercial zoned areas only. There are very few areas zoned commercial within the Town. The Town's LUDC does allow Commercial Greenhouses in MU-C, C and LI zone districts as a use by right and in allowed the MU-TC, MU-R and R-A districts with an approved conditional use permit.

Staff has reached-out to some other communities over the course of the last couple of years regarding allowable areas for marijuana establishments. Many communities have expressed concern over having marijuana establishments along main street and in plain view, due to the nature of their visiting tourists that frequently include conservative oriented individuals and families with young children. Products that are offered at a marijuana establishment tend not to be an impulse purchase as your walking down main street or driving through town. If a person is looking for marijuana products, they will find the establishments that offer such products.

The Board reviewed and discussed the idea of marijuana Establishments within the Historic District and provided the following recommendation for Town Council's consideration:

**MOTION BY MEMBER REDSTONE, SECONDED BY MEMBER JAMES, AND UNANIMOUSLY CARRIED TO PROVIDE A RECOMMENDATION TO TOWN COUNCIL THAT:**

- 1) THE HISTORIC PRESERVATION BOARD SUPPORTS THE TOWN COUNCIL WITH ITS UNDERTAKING THAT IS PERMISSIBLE AND ALLOWABLE IN THE RESPECTIVE ZONED DISTRICTS;**
- 2) THE BOARD SUPPORTS THE PARAMETER LAYOUT FROM ARCHULETA COUNTY (OUTLINED BELOW) AS IT RELATES TO THE MARIJUANA ESTABLISHMENTS ON THE BASIS THAT THE BOARD DOES NOT PERCEIVE THAT SUCH USES WOULD IMPACT THE HISTORIC DISTRICT OR LANDMARKED PROPERTIES.**
  - a. ALLOW THE MARIJUANA ESTABLISHMENTS WITHIN THE TOWN'S HISTORIC DISTRICT BOUNDARIES (MEDICAL MARIJUANA CENTERS, MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, RETAIL MARIJUANA STORES AND RETAIL MARIJUANA CULTIVATION FACILITIES) PROHIBITED THAT THE LOCATION OF SUCH ESTABLISHMENTS SHOULD NOT BE WITHIN 1000 FEET OF ANY SCHOOL, ANY LICENSED DAY CARE FACILITY, ANY CHURCH, OR DEDICATED PUBLIC PARK, WHETHER INSIDE THE TOWN IN ADJACENT COUNTY BOUNDARIES, AND PROHIBITING THE LOCATION OF SUCH ESTABLISHMENTS WITHIN 250 FEET FROM RESIDENTIALLY ZONED AREAS (AND/OR ESTABLISHED RESIDENTIAL USES).**



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---

**XI. Discussion Items:** None

**XII. Public Comment:** None

**XIII. Reports and Comments:**

**A. Planning Department** - Planning Director Dickhoff provided the following staff report:

TOWN COUNCIL REGULAR MEETINGS: At the March 03, 2015 Town Council meeting the TC asked the Planning Commission and Historic Preservation Board to provide recommendations on allowable locations for Marijuana Establishments. The TC also scheduled a meeting regarding marijuana businesses on Friday, March 13, 2015 at 7:30am in Town Hall.

CRESTVIEW DRIVE CMAQ PAVING PROJECT: Staff received a request for CMAQ paving projects from CDOT on January 12, 2015. Partial funding for paving 2000 lineal feet of Crestview Drive will be available as soon as July 1<sup>st</sup>, 2015 with the remaining funding available after July 1<sup>st</sup> 2016. Staff has initiated surveying with Davis Engineering, to identify the scope of the project. Currently, Staff has estimated the project to be under \$400,000.00, if the current road alignment is within the platted ROW. Additionally, CDOT has awarded CMAQ funding to the town for the following requests: Paving Mesa Drive in 2016-2017; paving the east leg of Majestic Drive in 2018.

200 BLOCK PAGOSA STREET SIDEWALK IMPROVEMENT PROJECT: Town Council approved a budget allocation for a sidewalk replacement project along the south side of Hwy 160 (Pagosa Street) between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street. Davis Engineering has completed the plans, which are now available for construction bids. It is expected the project will commence in early April and be completed by mid-June.

PIEDRA STREET 2015 REPAVING PROJECT: Town Council approved staff to move forward with final plans and advertising for bids. The 2015 budget, which included a repaving project for Piedra Street from S. 8<sup>th</sup> Street to 10<sup>th</sup> Street. It is expected the project will be constructed during summer school break. Davis engineering is completing construction plans now.

The project will also include a sidewalk along the north side of the street, which will provide pedestrian sidewalk connectivity to the Elementary School's path along the east side of their fields, providing a safe route to school. The School has indicated the public use of this trail is acceptable.

COBBLESTONE TOWNHOME PROJECT AND YAMAGUCHI LANE: The Cobblestone Townhome project located on the improved 4<sup>th</sup>/5<sup>th</sup> Alley is still progressing. Signage for the one-way alley is expected in the near future. Yamaguchi lane will then be a one-way street, north to south direction.

6TH STREET PEDESTRIAN BRIDGE: It is currently hoped that the project will be open to the public by March 30, 2015. Landscaping will be completed as weather permits.

WALMART: Staff has recently reached out to WalMart for an update on anticipated opening date. They are currently anticipating opening on April 22, 2015. The Town Planning Department is working with the client for LUDC compliance of their parking lot lighting. It is expected that Walmart will request a Temporary Certificate of Occupancy (TCO) that will allow them to begin accepting merchandise inventory and setting up the store interior, in preparation for the grand opening scheduled for April 22nd. To be eligible for a TCO, the Building Official will inspect the project to ensure no life safety issues are outstanding. Also, the project Landscaping will not be able to be installed until the Spring of 2015, which will require Walmart to submit a Performance Bond equal to the expenses with completing the entire landscaping plan. Staff continues to work with Walmart to remedy line of sight issues from an existing residence to the south loading dock. A solution is close at hand.



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---

**CDOT:** The next CDOT quarterly meeting set for March 12. Any issues or thought's for consideration at this meeting should be directed to the Planning Director or Town Manager.

**B. Historic Preservation Board Discussion and Ideas:**

Member Redstone would like to see the Board become more involved with the CDC to encourage progress for the downtown development.

**C. Next Scheduled Town Meetings are as follows:**

Planning Commission Meetings:

- ~ Tuesday, March 24, 2015 @ 5:30pm in Town Hall, Regular Meeting.
- ~ Tuesday, April 14, 2015 @ 5:30pm in Town Hall, Regular Meeting.

Historic Preservation Board meetings:

- ~ Wednesday, April 8, 2015 at 5:15pm in Town Hall.
- ~ Wednesday, May 13, 2015 at 5:15pm in Town Hall.

Town Council Meetings:

- ~ Friday, March 13, 2015 at 7:30am in Town Hall, Special meeting on Marijuana Establishments.
- ~ Thursday, March 19, 2015 at 5pm in Town Hall.
- ~ Tuesday, April 7, 2015 at 5pm in Town Hall.

Parks and Recreation Board Meeting:

- ~ Tuesday, March 10, 2015 at 5:30 pm in Town Hall.
- ~ Tuesday, April 14, 2015 at 5:30 pm in Town Hall.

**XIV. Adjournment:** Meeting duly adjourned at 8:20 pm.

By: Brad Ash, Historic Preservation Board Chair