



**Planning Commission, Board of Adjustments  
& Design Review Board  
Regular Scheduled Meeting Minutes  
Tuesday, May 8, 2012 at 5:15 p.m.  
Town Hall Council Chambers  
551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147**

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- I. **Call to order / Roll Call** – Planning Commission Chair Lattin, Commissioner Maez, Commissioner Parker, Commissioner White, and Commissioner Hart
  
- II. **Announcements**
  - A. **Submitted Wal-Mart Development Application** – Planning Director Dickhoff explained that Wal-Mart has submitted a Land Use Development (LUD) Application for “Major Design Review” on April 5, 2012. Bohannon-Huston has been hired to complete a review of the application as it relates to the Town’s LUDC Major Design Review process and requirements. The Town is reimbursed by the applicant for all costs associated with the application review. The Design Review Board Public Hearing is scheduled for May 22, 2012 at 5:15pm at the Ross Aragon Community Center. The planning commission will also hear the request for vacation of the Aspen Park cul-de-sac during the May 22 meeting, the Town Council will decide on the vacation at their June 5<sup>th</sup> meeting.
  
- III. **Approval of Minutes** NA.
  
- IV. **Board of Adjustments** NA.
  
- V. **Design Review Board** NA.
  
- VI. **Planning Commission**
  - A-1. **Resolution 2012-09, Policy concerning public participation at meetings and public hearing rules and procedures** – This resolution allows the chair to control the meeting, allow time for public comment. Commissioner Hart moved to approve Resolution 2012-09 adopting a policy concerning public recording, public participation at meeting, and public hearing rules and procedures, Commissioner White seconded, unanimously approved.
    - A. **Mountain Crossing Major Subdivision Sketch Plan** – The planning department received an application for a Major Subdivision sketch plan for tracts 1-B and 1-C of the Mountain Crossing subdivision on April 6, 2012. The proposed project is located on the South East Corner of Hwy 160 and Hwy 84. Vested rights were granted to the applicant in 2008 via Ordinance No 722. A pre-application conference was held with the applicant, town staff, and utility companies on March 7, 2012. According to the approval criteria, the applicant has met most of the requirements for this type of development. Prior to submission of preliminary plan, items to be address include traffic study, plating of a second entrance from Mill Creek Rd, pedestrian trail easements, submission to meet utility providers’ requirements, and analysis of impacts to services and amenities. Some of the items will be addressed during preliminary plan submission, whereas some items will be addressed when a project is submitted for development. Planning Director Dickhoff said the sketch plan is preliminary and two additional phases have to take place prior to construction being approved. He explained that during the pre-application meetings, other town departments participate to determine any additional maintenance that may affect future department budgets. A potable water model analysis will be required by PAWSD, and a sewer line extension by PSSGID is needed. Mr. Keith Mendenhall explained the applicant is confident with meeting the requirements of the sketch plan application. Access currently is available from Mill Creek Rd, and the applicant is looking for an

additional Mill Creek Rd entrance. Access from Hwy 160 is not proposed at this time. A detailed traffic study is in the process of being completed, at some point there may need to be a signal light at the Hwy 160 and 84 intersections. Commissioner Maez moved to approve the Mountain Crossing Major Subdivision Sketch Plan as submitted, contingent on the following being provided at time of Major Subdivision Preliminary Plan Submission: provide traffic study and evidence of CDOT access permit application being submitted, complete platting of second (east) entrance from Mill Creek Road, provide pedestrian trail easements and/or improvements along the proposed open space areas, provide evidence of meeting all requirements of all utility providers including a potable water modeling analysis, and provide an analysis of impacts to services and amenities including fire protection, recreational facilities, schools and police protection, Commissioner Hart seconded, unanimously approved.

**B. Mountain Crossing Land Exchange for second access, Disconnection (De-Annexation) -**

A proposed land swap between Mountain Crossing applicant and Strohecker to remove some land from the the Town limits and associate another parcel into the county. Mr. Tom Thrope with SWC Land Consulting is handling the swap to obtain the additional access on Mill Creek Rd into the proposed Mountain Crossing Major Subdivision. He explained the County as well as all land owners have agreed and approved the land swap. The land swap requires first to be de-annexed and then submittal of a new annexation for the access property. Commissioner White moved to approve a recommendation to Town Council to approve the disconnection from the Town of Tract 1-B1 of the Mountain Crossing Subdivision, Commissioner Hart seconded, unanimously approved.

**C. Pradera Point Subdivision Extension** – The applicant is asking for an extension for only Phase 1 of the Final Plat Approval. The applicant is hopeful the economy will turn around to begin this project. This residential project is located off of Cemetery road near Fritz and Mabel Pl. There are some outstanding items as a condition of the final plan recordation. Commissioner Lattin would like to have the mortgage payments verified as a condition of approval. The plan still fits into the current LUDC requirements. Commissioner Parker moved to approved a recommendation for Town Council to approve a one year extension for the Pradera Point Subdivision, Phase One, Final Plat Approval, contingent on the final plat shall include current plat language as required under the current LUDC, a current utilities checklist submitted prior to recordation of the final plan, a signed developer improvement agreement, revised engineering plans, revised engineering costs estimates to include street lighting, and verification of completed payments of property tax, bank loans, and PAWSD service payments to date, Commissioner Maez seconded, unanimously approved.

**D. Concessionaires in Town Parks** – Staff has been approached a number of times over the last few years regarding requests for operating a concession food carts in Town Parks during sporting events. The Town does not have a polity to allow vendors on Town Property outside of a special event. If the Town agreed to allow vendors, an RFP would need to be sent out, decisions as to where the vendors can locate, how many vendors are allowed, what type of carts are allowed, and several other items. The Parks and Recreation commission will hear this item on Wednesday May 9<sup>th</sup>. A temporary use permit is required as well as a town business license for all vendors, but they are allowed to be on private property only. Commissioner Maez is willing to give it a try, Commissioner Parker would like to have a work session with the P&R commission to discuss the item. Commissioner White said that no one should be allowed to peddle on the river walk, Town Park and Yamaguchi could be acceptable if by push cart only. A higher fee for this type of vendor should be required, due to the competition to the other merchants in town. A work session will be decided with the P&R commission.

**E. Cargo Shipping Container committee update** – This item is tabled until the June 12 meeting.

**F. Parelli Sign request** – Mr. Mark Weiler with Parelli Natural Horsemanship gave a brief background of Parelli in the Pagosa Springs area. He explained he dealt with Jon Ransom when

looking into purchasing the current Parelli location in the Aspen Village development. He said he was given approval by Jon to install a freestanding sign upon agreeing to purchase the property. With the economic decline in 2007 and 2008, he put off the priority of the sign application and landscaping until now. He has attempted to get the sign code changed with the owners of the subdivision and to contact Dan Sanders and Mark Needy with no response. He is asking the planning commission to allow the sign which he believes is in compliance with Town code even though he is unable to get the subdivision owners to make a correction to the code. Planning Director Dickhoff said this type of application is normally approved administratively, however the subdivision's plan needs to be revised so the Town does not need to have this come to the planning commission each and every time. Off site signs are a good way to keep consistent within the Town, the sign proposed by Parelli may be consistent with the Aspen Village look and they own the most Hwy 160 frontage at this time. Commissioner Hart is concerned about the developer's unwillingness to change the code and the PC responsible to approve the next sign application. Commissioner Parker would rather see the signs on the building and the satellite signs approved by the subdivision sign plan. Commissioner Lattin said she remembers the intent of the sign code was to have an open space, neighborhood type of development and remove the bill board signs. The satellite boards were set for the internal businesses needing signage along the Hwy. She says that the type of sign proposed for the Parelli was not addressed in the sign development plan. Mr. Weiler suggests putting the burden on the developer to create a sign code that addresses the lots along the highway. Planning Director Dickhoff explained the power of the development may be turned over to the property owners in the next year or so, once 51% of the property is owned by the businesses rather than the developer. At that time, the business owners will be able to adopt a new sign code with the Town's approval. Parelli is hoping to have the sign and the landscaping completed simultaneously and done by the end of the summer 2012. Commissioner Hart moved to approve Parelli to construct a 100 square foot monument sign along Hwy 160, as approved by the Aspen Village Design Review committee and as presented to the Planning Commission, with the stipulation that no further sign approvals outside of the approved Aspen Village Master Sign Plan will be considered by the Planning Commission until the Aspen Village Design Review Committee submits a revised Master Sign Plan and receives approval by the Town Planning Commission with the additional contingency that Parelli complete their landscaping plan, Commissioner White seconded, motion carried with one nay (Commissioner Parker).

## **VII. Reports and Comments**

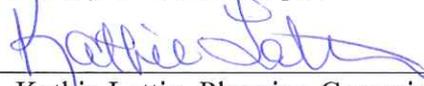
### ***A. Town Manager – TBD***

### ***B. Staff –***

1. Town Council Decisions – Town Council will make a decision on the purchase of the 5<sup>th</sup> and 6<sup>th</sup> Street at their next meeting, and GOCO should let the town know about the grant in mid-June.
2. Historic Preservation Board Update -
3. Planning Department Report - Paving of the 100 block of Lewis Street should be completed soon. A CDOT signal light at Hwy 160 and 8<sup>th</sup> Street intersection is slated for this summer with crosswalks to tie into the 8<sup>th</sup> Street sidewalk project. The Town received a \$200,000 trails grant for the Town to Pagosa Lakes trail. The section from Pinon Causeway to the Aspen Village development is slated to start this year. The sidewalk improvement along Hwy 160 between 1<sup>st</sup> and 2<sup>nd</sup> Street is moving along and care is being taken to preserve the large trees near the 1<sup>st</sup> Street end. Commissioner White believes the trees should be saved and that creative ways to keep the trees may create a unique type of attribute to the town.
4. Upcoming scheduled meetings:

*C. Planning Commission - TBD*

VIII. Adjournment - Upon motion duly made, the meeting adjourned at 7:07pm.



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Kathie Lattin, Planning Commission Chair