



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

**Tuesday, April 16, 2013 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** – Commission Chair Lattin, Commissioner Maez, Commissioner Parker (late), Commissioner Woodruff
- II. **Announcements** - none
- III. **Approval of Minutes**  
A. Approval of April 04, 2013 Planning Commission Meeting Minutes – The 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
- V. **Design Review Board**  
**A. Freestanding Sign Size Variance for the Quality Inn located at 3505 W. Hwy 160** - The applicant, the Quality Inn, located at 3505 W. Hwy 160, has submitted an application for a variance to allow for the addition of two new signs to be added to their existing 80 sq ft, 20 foot tall freestanding sign (currently complies with LUDC). The additional two signs equal 60 sq ft and will bring the freestanding sign total to 140 sq ft. The first sign is a 36 sq ft sign advertising the new View Restaurant. This sign will be double sided and internally illuminated. The proposed sign colors comply with the LUDC for internally illuminated signs. The second sign is a 24 sq ft illuminated full color LED EMC (electronic message center) sign. The Town's sign code does not address these types of LED signs specifically, however, the following code section may apply: "*LUDC 6.12.4.A.4.d No sign shall have or contain blinking, flashing, fluttering or intermittent lights or other devices that create a change in color, brightness, direction or intensity of lighting.*" Maximum allowed signage for all properties is equal to the lineal footage of the street frontage. The Quality Inn has 850 lineal feet of frontage, which equals 850 sq ft of total allowed signage for the property. The applicant only proposes signage on the freestanding sign location totaling 140 sq ft. Commissioner Maez moved to approve the Freestanding Sign Size Variance application allowing the applicant to install up to a total of 140 sq ft of signage, as presented, on the freestanding sign, and further approving the Illuminated LED Sign, Commissioner Woodruff, unanimously approved.
- B. Wall Sign Size Variance Application for Wal-Mart, to be located in Aspen Village, Block 4, Lots 1-6** - The Town has received a wall sign size variance from the applicant, Wal-Mart Stores, requesting approval to install a 209 sq ft wall sign on their new building. The LUDC limits wall signs in sign zone 2, to 100 sq ft unless a variance is granted by the Design Review Board. The applicants proposed full sign plan has a total of 480 sq ft. These include one (1) 100 sq ft free standing sign at the SE corner of Alpha Drive and Hwy 160 and five total wall signs:  
a) 60 sq ft "Market & Pharmacy" b) 40 sq ft Pharmacy Drive-Thru" c) 22 sq ft Pharmacy Drive-Thru" d) 48 sq ft "Outdoor Living" and e) 209 sq ft "Wal-Mart". The Aspen Village Sign Plan allows the combine lots 1-6, a total of 480 sq ft of allowable signage. If the applicant was outside of the Aspen Village subdivision, the Town's LUDC allowable signage would be based on their lineal street frontage (100% primary frontage + 50% secondary street frontage) and the allowable total signage would be 1527 sq. ft., a 1047 sq ft difference from what other town commercial properties would be allowed. The applicant will not exceed the total amount of signage allowed for the

combined properties, under the Aspen Village allowed signage table. The building front façade is approximately 10,000 sq ft., 10% would 1,000 sq ft. The four total front facade wall signs total 339 sq ft, leaving a difference of 661 sq ft below the maximum allowed wall signs as related to facade sq ft. The applicants proposed 209 sq ft wall sign will be the only illuminated wall sign on the entire building. This illuminated sign will be directed away from the current residences along Aspen Village Drive. The Aspen Village Design Review Committee of the Aspen Village Masters Association, Inc, approved the proposed Wal-Mart signage plan on April 4, 2013, and confirmed that the to be combined lots 1-6, have up to 480 sq ft of allowable signage in the approved Aspen Village allowable signage table. Chad Haller with Wal-Mart was present by conference phone. Commissioner Woodruff asked about the dark sky compliance and the brightness of LED lighting. Planning Director Dickhoff said the LUDC does not address dark sky when referring to signs. Mr. Haller said the LED last longer, are more energy efficient, and will not show hot spots. Commissioner Parker would like dimmer available if the sign is much brighter than needed. Mr. Haller said a halo effect of the sign is also available, but the commission does not want the halo effect. He said the sign material is a standard white. Commissioner Woodruff moved to approve the applicant's wall sign size variance application allowing the installation of a 209 square foot wall sign with the ability to decrease the lighting intensity should the town board feel it necessary and subject to combining lots 1-6 Aspen Village block 4, Commissioner Maez seconded, unanimously approved. Chad Haller was excused from the meeting.

## **VI. Planning Commission**

**A. Final Plat Extension request for Pradera Point Subdivision** - Pradera Pointe Subdivision is located on approximately 163 acres (adjacent to Cemetery Road & Rainbow Drive) and consists of 119 single-family residential lots. The final plat for phase I includes twenty (20) lots. This plan continues to be consistent with the Town's adopted Comprehensive Plan. The applicant, Gazunga LLC, represented by Bill Herebic, has submitted a request for a one (1) year extension of the Pradera Pointe Subdivision Phase I Final Plat approval. Town Council originally approved the phase I Final Plat on May 6, 2008. One year extensions have been approved annually since 2008 and the current extension ends May 2013. Planning Director Dickhoff said the applicant is current with all payments on loans, taxes, and utilities. Mr. Scott Oakman lives on Fritz and Mabel and is concerned with the proper procedure with these developers that keep extending with no action. Planning Director Dickhoff said with the market downturn the extensions have been approved. Mr. Oakman said he was approached by the developer to sell a portion of the property to him. Mr. Dickhoff said that if the applicant made a substantial change, like selling a portion of the property to Mr. Oakman, the applicant would have to return to the commission for plan approval. Commissioner Parker moved to approve a recommendation for Town Council to approve a one year extension for the Pradera Point Subdivision, Phase One, Final Plat Approval, contingent upon 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 plat, a signed Developer Improvement Agreement, submission of revised engineering plans and revised engineering cost estimates to include street lighting, and 2012 property taxes paid in full, Commissioner Maez seconded, unanimously approved.

**B. Final Plan/Plat and DIA phasing to allow staged developments to begin without overextending** - Staff has been approached by a couple developers that have projects staged for final plat recordation, to see if there might be an opportunity to look a policy or code revisions that might allow developers to sell some parcels of land prior to being required to move forward with any required private or public improvements that would be identified in the Developers Improvement Agreement (DIA). Financial security would still be needed to ensure improvements could occur if

the developer defaulted on the DIA. Issuance of any building permits would be contingent on the required improvements being installed or financial security in place with improvement completion prior to building Certificate of Occupancy. Staff is still sorting through some details with legal counsel to ensure this could be a viable option that may help some developments begin construction sooner than later. Commissioner Woodruff is concerned with the homeowners that put their money into the development and then if the developer pulls out, the homeowner is out money.

**VII. Board of Adjustments**

**VIII. Public Comment**

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the agenda - none

**IX. Reports and Comments**

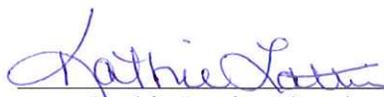
A. Town Manager

B. Planning Department Report – The 8<sup>th</sup> St trail has been delayed to 2014 as well as the west side town to Pagosa lakes trail. Additional discussion with CDOT and the school board is necessary. Staff is investigating CDOT Ramp funding options for the McCabe Creek culvert.

C. Planning Commission - The Planning Commission is seeking additional board members. Currently the PC has one open alternative board member position and is expecting Cameron Parker to move to that alternate position from a regular position in May 2013. Bobby Hart has also recently resigned from the Planning Commission, leaving an open regular board seat. Natalie Woodruff has decided to continue as an alternate until additional seats are filled

D. Upcoming Town Meeting Schedule - The next scheduled PC meeting will be held on Tuesday, April 30, 2013 at 5:15pm in Town Hall. .

**X. Adjournment** - Upon motion duly made, the meeting adjourned at 6:35pm.



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Kathie Lattin, Planning Commission Chair