



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 970.264.4151
Fax: 970.264.4634

TOWN COUNCIL MEETING MINUTES
TUESDAY, JULY 2, 2013
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.

- I. **CALL MEETING TO ORDER** - Mayor Aragon, Council Member Alley, Council Member Bunning, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker, Council Member Volger
- II. **APPROVAL of MEETING MINUTES FROM JUNE 20, 2013** – The minutes were approved as read
- III. **PUBLIC COMMENT** – None
- IV. **NEW BUSINESS**
 1. **Redevelopment Permit Application for Wyndham Vacation Resort, Inc.** - In August 2012, the Planning Commission approved the demolition of the viewing tower, demolition of the east wing of the Wyndham Check-in Facility and the rebuilding of the east wing for their real estate offices. Town Council subsequently approved the PC's recommendation. Since the approval, the Wyndham has purchased and is remodeling the building at 305 Village Drive for their real estate offices. They no longer need to rebuild the east wing at this time. Wyndham's amended redevelopment application proposes landscaping the foot print area of the demolished east wing rather than rebuilding. The planning commission approved and suggested a bond of \$28,500 for this project, 50% of the cost of demolition, to be used should the demolition not be completed. The planning commission additionally added that the project be completed within 90 days from the start of the demolition. Mr. Chris Daye with Commercial Development Consultants is asking the bond amount of \$28,500 be waived or reduced for the benefit of this project and expediting all of the improvements Wyndham added to the project like sidewalks as well as improvements on Village Dr. Council Member Cotton and Volger would agree to waive the bond requirement. Council Member Lattin moved to approve the Re-Development Permit for Wyndham Vacation Resort, Inc. with no financial security bonding requirement but the requirement the project be completed within 90 days upon starting demolition, Council Member Volger seconded, unanimously approved.
 2. **Major Subdivision Preliminary Plan Application for Cobblestone Townhome Project** - The Town has received an application for a Major Subdivision Preliminary Plan for the Cobblestone Townhome project. The applicant, Jack Searle, is proposing a townhome development with a total of 14 new dwelling units. Planning Director Dickhoff reviewed the project, easements, plans, parking, alley and sidewalk items, and more. The planning department approved recommendation of the preliminary plan. Mr. Brad Ash with Reynolds & Associates and Mr. Mike Davis with Davis Engineering reviewed the project and plan of the development. They are hoping to have Phase I and II completed by the end of this summer, a total of five units. A possible start on Phase III this summer as well. Council Member Volger moved to approve the Major Subdivision Preliminary Plan Application for the Cobblestone Townhome project located on the property known Block 68, Lots 2A-1, 2A-2, 2A-3, 2A-4 and 2A-5 in the Jackson Minor Subdivision, finding the application to be in substantial compliance with the LUDC, with the

following Conditions of Approval: 1. The following are required prior to or at the time of Final Plan Application Submission, subject to Town Council approval: a.) Approval from Town Council for a utility and drainage easement along the northern boundary of Yamaguchi Park; b.) Approval from Town Council for a public utility easement at the NW corner of the 4/5th Alley and S. 5th Street; c.) Provide evidence of approval from PAWSD for water service location, design and connection; d.) Provide evidence from PSSGID for sanitary sewer location, lift station design and connection; e.) Provide fire hydrant requirement determination and approval from Town Building Official; and f.) Approval from Town Council to convert the 4/5th Alley into a one-way alley, traveling from north to south, as well as any financial or in kind assistance for the alley improvements; 2. The following are required prior to recordation of the Approved Final Plat: a.) Execute Developers Improvement Agreement and required financial security with the Town for the 4/5th Alley improvements; and b.) Provide Property Owners Association Codes, Covenants and Restrictions (CC&R's); and 3. The following are required prior to or with the submission of Building Permit application: a.) Provide copy of the stormwater discharge plan and permit obtained from the State of Colorado, at the time of Building Permit Application; and b.) Provide Flood Plain Elevation certificate with building permit submission, Council Member Cotton seconded, unanimously approved.

- 3. Ordinance No. 789, First Reading, Vacating Easements in Block 68** - To accommodate the Cobblestone Townhome development, the developer is requesting Town Council approve the vacation of the public utility easements that were retained when the Town vacated the former S. 4th Street Public-Right-of Way in Block 68 within the corporate limits of the Town of Pagosa Springs and the vacation of an existing 10 foot wide public utility easement within the western edge of the subject development property along the 4/5th Alley. Additionally, the applicant is requesting the Town Council approve the vacation of the Apache Street Bridge Construction and Access Easement along the eastern boundary of Lots 2A-1, 2A-2, 2A-3, 2A-4 and 2A-5 in Block 68, and the Town Planning Director would also recommend the vacation of the same easement along the eastern boundary of lot 1-A in Block 68. This original easement was for the construction of the Apache Street Bridge, which was completed in 1998. The applicant will dedicate a 10 wide public utility easement along the current western boundary of Lots 2A-1, 2A-2, 2A-3, 2A-4 and 2A-5 in Block 68 to accommodate the installation of public utilities for their proposed townhome development, contingent on the former S. 4th Street ROW public utility easement being vacated and the vacation of the existing 10 foot public utility easement beginning 10 feet east of the current western property line of Lots 1-A, Lots 2A-1, 2A-2, 2A-3, 2A-4 and 2A-5 in Block 68 recorded on reception# 98001787. The owner of lot 1-A, has signed a dedicated utility easement agreement, for a 10 foot wide public utility easement along the western edge of Lot 1-A, conditioned on the vacation of the two subject public utility easements through his property. Council Member Volger moved to approve first reading Ordinance No. 789, An Ordinance Vacating Public Utility Easements and the Apache Street Bridge Construction Easement within Block 68, Through Lots 1-A, 2A-1, 2A-2, 2A-3, 2A-4 and 2A-5 within the corporate limits of the Town of Pagosa Springs, Council Member Bunning seconded, unanimously approved.
- 4. Ordinance No. 790, First Reading, Providing Utility and Drainage Easement Along North Side of Yamaguchi Park** – The developer, Jack Searle, is requesting a 20 foot wide Drainage and Utility Easement dedication along the north edge of Yamaguchi park, adjacent to the subject property, extending west to the western boundary of S. 5th Street. The dual purpose easement request is for a 20 foot wide easement for the placement of a natural gas line (public), the development's sewer connection (private), PSSGID sewer (public), drainage from the development (private), drainage from 5th St., the 4/5th Alley, and Yamaguchi park (public), and possibly PAWSD water line (public). Council Member Bunning moved to approve first reading of Ordinance No. 790, dedicating a 20 foot wide Drainage and Utility Easement along the northern boundary of Yamaguchi Park adjacent to block 68 and extending to the western edge of S. 5th Street, Council Member Volger seconded, unanimously approved.
- 5. Cobblestone Townhome Easement and Alley Participation Requests** - The developer is requesting Town Council consider designating the 4/5th Alley as a one way alley, with the travel direction from north to the south. The developer is also requesting Town Council consider participating with the Base course materials for the 4/5th Alley Improvements. The requested one-way scenario has been discussed with the Town Police Chief, Fire Department, Parks Department and the Town Streets Supervisor. All entity's support the designation of the 4/5th

Alley to one-way with the travel direction from Apache Street, traveling north to south. The requested base course materials participation would be in preparation for the developers required hard surfaced alley improvements that include asphalt surface of the roadway and concrete curb and gutter. Town Streets Superintendent Gallegos has reviewed the alley improvement plans and has supported the proposed improvements and plans. He has indicated he is willing to help supply the road base materials, estimated to cost up to \$10,000, for the alley improvement if directed by Town Council, but not the equipment or labor. Mr. Ash said the cost ranges between \$95,000 to \$110,000 to improve the alley to town standards. The developer is asking for 50% cost-sharing of approximately \$45,000 to \$55,000. Council Member Lattin is not in favor of sharing the costs for this alley. Concessions have been made with the easements and more for this project to occur and thinks cost-sharing is too much, Council Member Volger agrees. Council Member Alley said perhaps discussion within the DIA could provide the support for this alley that can come back to council. Council Member Volger moved to approve the S. 4/5th Alley be designated as one-way with the travel direction from north to south, Council Member Bunning seconded, unanimously approved.

6. **Ordinance 791, First Reading, Odd Fellows Cemetery** – The town was approached by Pagosa Lodge 122, Independent Order of Odd Fellows to take over the 2.85 acre tract known as the Odd Fellows Cemetery located adjacent to the Town of Pagosa Springs Hilltop Cemetery. Council Member Bunning moved to approve first reading Ordinance 791, an ordinance of the Town of Pagosa Springs incorporating the property known as Odd Fellows Cemetery into the Town of Pagosa Springs Hilltop Cemetery, Council Member Volger seconded, unanimously approved.
7. **Chair Lift** - The Town purchased a chair lift in 2010 with the intention of possibly using it in the Reservoir Hill Park access plan. Since the April 2013 election the town council mentioned during their retreat the possibility of selling the chair lift should there be an available buyer. Town Manager Mitchem said the cost of purchasing the lift was approximately \$42,000 and hopes to sell the lift for between \$60,000 to \$100,000. Council Member Volger moved to approve staff recommendation to proceed with advertising and selling of the chair lift, Council Member Schanzenbaker seconded, unanimously approved.
8. **Promoting Business During Fire Season** – Project Manager Whittington thanked the community including the Town Tourism Committee, Chamber of Commerce, Lodgers Association, CDC and others. They have been working hard to promote tourism even with the fires occasionally causing smoke to fill the town. Mr. Michael Whiting thanked those same groups promoting tourism. He suggests communication between the community for economic uncertainty to plan for possible disaster mitigation. Mary Jo Coulehan with the Chamber of Commerce said she is aware of all the effects of the fires this year. She said the chamber executives met in May regarding disaster preparedness, this has helped her work with these fires. They are spending funds on advertising in the San Luis Valley and Four Corners Radio to let people know Pagosa Springs is open for business.

V. OLD BUSINESS

1. **Proposed Street Paving** - The section from Apache Street to the high school property has deteriorated and needs immediate attention. Staff recommends that this section of 8th Street be repaved this summer. Strohecker Asphalt and Paving estimates the cost at grinding the existing asphalt, shaping and laying a new four inch asphalt mat to be \$46,832.70. On September 6, 2012, the Town Council discussed paving of Piedra Street between 8th Street and Old Durango Road. We had received an estimate from Strohecker Asphalt and Paving of \$79,550. At that time, Council expressed their preference to include a sidewalk along this road for access to the elementary school. As of May 17th, Strohecker Asphalt and Paving estimated the cost of grinding the existing asphalt, shaping and laying a new four inch asphalt mat to be \$83,918.50. Several options were presented including paving Piedra from 8th to 10th Street and applying for a Safe Routes to School Grant for sidewalks at a later date, engineering the section with curb, gutter and sidewalk for later reconstruction, or engineer with curb, gutter and sidewalk as well as concrete at the 8th Street intersection for later reconstruction. Council Member Bunning moved to mill and repave 8th Street from Apache St to High School and authorizing staff to get engineering for Piedra St between 8th St and Elementary school and staff to apply for a Safe Routes to School grant for the curb, gutter and sidewalks, Council Member Volger seconded, unanimously approved.
2. **Recreation Center** – Council Member Lattin gave an update on the recreation center committee.

She would like a motion that Town Council is aware and allow the people involved in the recreation center development to move forward and provide the public the information and discover the public's wants. Council Member Cotton is not in favor until he sees the finances and cannot endorse the plan at this time. Council Member Volger is not ready to endorse, but would like to know if it is feasible and if the public really supports and wants a recreation center. Council Member Schanzenbaker moved that council supports the notion of looking into the feasibility of a recreation center including public hearings, Council Member Lattin seconded, motion carried with two nays (Mayor Aragon and Council Member Cotton). Council Member Schanzenbaker asked about the funds budgeted for the Reservoir Hill Plan, \$45,000 from Capital and \$45,000 from TTC. Town Manager Mitchem said until Town Council requests changes, these funds will not be expended.

VI. PUBLIC COMMENT – none

VII. NEXT TOWN COUNCIL MEETING JULY 18, 2013 AT 12:00PM

VIII. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 7:15pm.

Ross Aragón
Mayor